Journal of Local Administration Overseas

VOLUME IV, NUMBER 2 · APRIL 1965

DARTMOUTH COLLEGE
MAR 24 1965
LIBRARY

Editor's Notes 77

Institutional Training in Africa (ii) The Training *by R. E. Wraith* 79

The Political and Administrative System of the Territories of the Comores *by F. Luchaire* 88

Analysis of the Community Development Administration at Village, Block and District Levels *by K. N. Singh* 99

Training for the Administration of Development in Kenya *by C. Fuller and R. Chambers* 109

The Development of Local Government in Eastern Nigeria *by E. E. Akpan* 118

African Conference by Local Courts and Customary Law *by E. Cotran* 128

Quarterly Notes 134

Book Reviews 138

Other Books Received 143

Amendment (Miller's Article) 144

THREE SHILLINGS quarterly net; Annual Subscription 13*s* 4*d* including postage

Published for the Minister of Overseas Development

HER MAJESTY'S STATIONERY OFFICE

This *Journal* is edited in the Administrative Services Branch of the Department of Technical Co-operation. It aims at providing a medium for the exchange of information about administration at the local level, whether in local government or in the local organization of central departments. It also covers land tenure. Nothing in the *Journal* should be read as necessarily representing official views or policy unless this is specifically stated. The responsibility for facts and opinions expressed in signed articles rests with the authors.

Notes to Contributors

Articles for publication in the Journal from serving officers and others with knowledge and experience in the field covered by the *Journal* are welcome and should be addressed to the Editor, Administrative Services Branch, Department of Technical Co-operation, Eland House, Stag Place, Victoria, London, S.W.1.

Books for review, reports and communications for the Editor should be similarly addressed.

Twenty off-prints are supplied free of charge on request to contributors whose articles are published. Requests for off-prints should be made at the time articles are submitted. Off-prints in excess of twenty are charged for at a rate relative to the length of the article.

Orders and subscriptions should be sent to Her Majesty's Stationery Office at the addresses given below.

The Government does not accept responsibility for any of the private or trade advertisements included in this publication

Printed in England by Harding & Curtis Ltd., Bath

and published by

Her Majesty's Stationery Office

York House, Kingsway, London, W.C.2 — 423 Oxford Street, London, W.1
13a Castle Street, Edinburgh, 2 — 109 St. Mary Street, Cardiff
39 King Street, Manchester — 50 Fairfax Street, Bristol, 1
35 Smallbrook, Ringway Birmingham, 5 — 80 Chichester Street, Belfast 1

or through any bookseller

Price 3*s.* net, annual Subscription 13*s.* 4*d.*, including postage

© *Crown copyright* 1965

L

JOURNAL OF
LOCAL ADMINISTRATION
OVERSEAS

Volume IV · Number 2 · April 1965

Editor's Notes

In our January issue and in this issue we have published one review and four articles[1] on a subject which is of much topical interest and importance. The review is of the report of the United Nations Economic Commission for Africa Seminar held at Zaria last year on the subject of central services to local authorities. As the review shows, the Seminar was concerned as much with determining the fundamental objectives of local goverment as with the subject of its title. It is of special note that agreement was reached on the definitions and aims of local government and that this agreement was in line with principles accepted at the United Nations seminar on the same subjecti held at New Delhi in 1963, covering countries in the East. It is now for each country to decide how far it accepts the principles agreed on by these seminars and how it proposes to implement them in the light of political, social and economic conditions.

The members of the E.C.A. Seminar were fully agreed that the aim of governments should be to follow an intelligent policy of decentralization in pursuance of the two basic objectives of political unity and economic development. This conclusion supports the policy which many countries have already been following even if they have not expressed their policy quite so specifically. Mr. Kirk-Greene's article shows how Northern Nigeria has been adapting its administrative structure, and with it the relationship of the staff to the local authorities and to the new political post of Provincial Commissioner, to ensure 'political unity'. The changes were made after careful study of the experience of other West African countries.

One immediate result has been the need to adjust the duties and responsibilities of administrative staff, including local government staff, placing more emphasis on professionalism. This in turn has a direct bearing on the type of education and training required, a subject fully studied, so far as the African continent is concerned, in Mr. Wraith's two articles.

In some countries economic development has for long been part of the duties of local government but present day conditions are encouraging greater stress to be placed on it, especially in India. In other countries it may be necessary to change the whole emphasis of local government to meet this new demand.

---

[1] *A Redefinition of Provincial Administration – The Northern Nigerian Approach*, by A. H. M. Kirk-Greene, J.L.A.O., Vol. IV, No. 1, January 1965, p. 5; *Institutional Training in Africa* (I) *The Institutes*, by R. E. Wraith, J.L.A.O., Vol. IV, No. 1, January 1965, p. 27; *E.C.A. Report on a Seminar on Central Services to Local Authorities*, Review by R. E. Wraith, J.L.A.O., Vol. IV, No. 1, January 1965, p. 66; *Institutional Training in Africa* (II), by R. E. Wraith, J.L.A.O., Vol. IV, No. 2, April 1965, p. 79; *Training for the Administration of Development in Kenya*, by C. Fuller and R. Chambers, J.L.A.O., Vol. IV, No. 2, April 1965, p. 109.

As a result of post-war developments and innovations, particularly in education and communications, all governments are now under heavy political pressure to raise the general standard of living of their people in the shortest possible time. To do this they must exploit every source of revenue. Most developing countries are comparatively poor in capital and rich in labour. Local government is now being recognized as the most effective instrument by which this latent reserve of labour can be transmuted into capital. There are two ways in which this can most easily be done. The local authority must co-operate fully in the central government's development plans by using all its influence and powers to increase primary production of every kind, agricultural, and forestry. It must also associate itself more closely than in the past with community development, which uses free labour to create valuable capital assets. What form this association will take must depend largely on local conditions. To achieve its purpose the local authority must be careful to preserve and encourage the spirit of voluntary work of the community development organization. The Zaria Seminar could not go deeply into this but clearly the local authority, and the central authority, can do much by providing technical assistance and material, and ean also help to cover maintenance liabilities.

If local government is to give economic development the high priority envisaged it must be prepared to collaborate fully with central government, to accept central financial assistance and the accompanying supervision and control, which reduces the degree of local autonomy, and to improve the quality and training of its staff. The central government for its part must devise means whereby the local authorities are more fully consulted on planning and encouraged to lend their full weight to the urgent drive for economic development.

Whatever decisions are made by the governments on all this, the local authorities must have the staff to carry them out. The articles mentioned above all discuss what type of training is needed, how existing training should be adapted, and how and where this training can best be given.

The article by Mr. Fuller and Mr. Chambers is of interest because it describes how fast and effectively a comparatively new technique of training, by case study, is developing. It provides useful practical training, is of great value in circumstances which demand 'crash' training programmes, and is likely to be widely followed. It should not be mistaken as a substitute for the advanced and broad educational background which will always be needed to ensure that knowledge, proportion and perspective form the judgment of those who, in the most responsible positions of central and local government, prepare and advise on major policy questions.

Institutional Training in Africa (ii) The Training

by R. E. WRAITH

"... independent or semi-independent institutions can perform a useful service in keeping the theoretical basis of local government constantly under examination".

"... better than anything else an intelligent policy of decentralization will serve the purposes which Africa's political leaders generally regard as the most essential, namely political unity and economic development." (*Mr. R. K. A. Gardiner*)

The two quotations[1] will serve as a text for this article, the starting-point of which is that colonial attitudes tend to persist long after colonies have become States. The word 'colonial' is not used in a pejorative sense, but merely to suggest that a number of assumptions on which colonial administration was based have ceased to be valid within a few years of independence, without this fact being openly and explicitly acknowledged by new governments. They include, for example, the idea that there is a clear division of function between a politician and a civil servant. Colonial governors and their higher officials were in a sense both, but in administration below these levels it was assumed that civil servants were impartial and politically independent. Again, it was assumed that decisions on public affairs are properly reached by a majority vote, and not by a consensus of opinion.

Local government laws grew up around a number of such assumptions. For example, that people as a whole wanted local government and would be interested in it; that its main function would be to relieve government departments of part of their burden, chiefly by looking after local 'services'; that local democracies would bring political education and fulfilment to the vast majority who took no part in national affairs, though for some it might be both a training-ground for, and a ladder to, a parliamentary career; and that a relationship of mutual respect would quickly establish itself between elected councillors and paid officials.

Few of these assumptions reflect any African tradition, though they were embraced by influential Africans who had found their education and training overseas; partly because they had developed a genuine respect and fondness for them, and partly because it was expedient to fight the colonial power with its own weapons. Those who reached supreme power generally came to abandon them under the pressures of responsibility; while those who clung to them more tenaciously, believing themselves to be enlightened and progressive, found themselves unexpectedly in the position of diehard reactionaries. Perhaps only in Ghana has the rejection of old assumptions been complete and explicit, in

---

Mr. R. E. Wraith, C.B.E., is Senior Lecturer and Tutor in the Institute of Local Government Studies, University of Birmingham.

[1] From a Report of the Economic Commission for Africa on a Seminar, 'Central Services to Local Authorities', held at Zaria, June-July, 1964

theory as well as in practice; elsewhere the tendency has been to abandon them unobtrusively in practice, while still paying lip service to them.

These apparently remote considerations have some bearing on what is taught in institutes of administration, for they are causing those responsible to wonder whether a good deal of what they teach is as relevant as it should be, or whether they are not preparing their candidates for a situation which no longer exists, while leaving them unprepared for much of what is going to be their life's work.

Matters are complicated by the fact that generally speaking the direction of the institutes, and the most responsible teaching, is undertaken by foreigners, mostly either British or American. These cannot help being influenced by the *mores* of their own societies, nor is it easy for them to be spokesmen of African ideas. The problem will not finally disappear until the institutes are Africanized throughout, but this is unlikely to happen for a long time, for teaching and training is one of the more acceptable roles for expatriates, and one to which they bring knowledge, skill and enthusiasm superior to what is available locally; for Africans with the necessary attainments both prefer, and are more urgently needed in, the front-line jobs in government and administration.

At the level of practical instruction no problem exists, for what is being taught is often very good indeed, and far superior to anything available to local government officers in the United Kingdom. The kind of instruction which used to put lectures first, seminars or tutorials second and a few practical exercises third has undergone a revolution. Nowadays case-studies taken from real life and 'role-playing exercises' occupy the greatest amount of attention and lectures the least, and the case-study method has proved itself to be one of great flexibility, revealing both the nature of a problem, the considerations that a public servant must bring to bear upon it, the necessary official procedures and the personal foibles and limitations of the public servant himself, incidentally assisting him in logical thinking and the use of the English language.[2]

Studies of this kind touch variously upon policy, co-ordination, decision-making and human relations, all of which they illuminate more vividly than conventional class-room teaching. At this level also a great deal is being taught about aspects of law with which an administrative officer must be familiar, and about secretariat practice and administrative routine. At the executive level there is systematic instruction in such matters as financial procedures, stores regulations, office organization and correspondence, staff matters and transport problems.

In a word, a great deal is being taught, often ably and imaginatively, which is of the greatest practical value to administrative and executive officers, and, if local government is within the institute's ambit, to local government secretaries and treasurers as well. All this is independent of the theoretical basis of local, or any other kind, of government, for knowledge and skill in such matters are needed in a one- or two-party state, in a centralized or decentralized system, in the development of the economy or in the provision of minor services to the public.

The work of an institute of administration can hardly stop, however, at the development of skills and instruction in procedures. It needs a theoretical basis itself, for it must be concerned to some extent with 'indoctrination'. It is a pity

[2] See, for example, R. J. H. Chambers, 'The Use of Case Studies in Public Administration Training in Kenya', JLAO, Vol. III, July 1964. The Institutes at Zaria and Lusaka also put this method in the forefront of their training.

that the word has acquired a sinister connotation, for there is no adequate substitute for it; all that is meant is that those who enter an institute should leave it with a feeling that a course has been set and that they understand where they fit into the larger pattern, for an opportunity has been missed if institutional training does not give its participants new enthusiasm and a sense of purpose. And it is here, at any rate in the field of local government, that the institutes are on less firm ground.

Colonies when they become independent inherit many of the political attitudes and institutions of the colonial power almost by mutual agreement. It seems inaccurate to say, though it is often said, that Britain *forced* the Westminster type of democracy and the British type of local government upon their former subjects. In fact, they were imported by African governments rather than exported by the British Government. British administrators who demurred were not popular, since it was thought that they were wanting to fob Africa off with something that was second-best, and believed that Africans were incapable of working a supposedly more mature political system. On the other hand most of the retiring British were admittedly content that their own institutions and ideas, even in a modified form, should take root in the countries they had served, and visiting advisers from the United Kingdom, fresh to Africa, helped to shape a pattern that was based precariously on inherited British assumptions. British and Africans together tended to drift into planting British local government in Africa, and the institutes drifted as easily into basing their teaching on British ideas. Accordingly a good deal of this teaching still rests on the unspoken major premiss that the ends of local government, and the means by which they will be achieved, are those which obtain in Britain. Nobody really supposes any longer that this is so, but tradition lingers, and attachment to British ways is still strong enough to restrain governments or institutes from throwing them overboard altogether and making a fresh statement of ends and means which would accord with African traditions and aspirations. Even in Ghana, where British traditions have been most explicitly rejected, and where the new philosophy of government is expounded at the Kwame Nkrumah Institute of Ideological Studies, the law and literature of local government retain a curiously British flavour.[3]

But who is to "keep the theoretical basis of local government constantly under review"? The quotation at the head of this article suggests that "independent or semi-independent institutions" could well regard it as their responsibility. But as was suggested in a previous article[4] it is not yet clear whether this is a proper function of training institutes in Africa, or whether it would be acceptable to the governments which finance them. Universities, or institutes closely associated with them, have the advantage of some academic freedom and can properly study and discuss the theoretical basis of local government, and publish their views and recommendations; though their liberty to do so is by no means absolute, and is in certain cases somewhat tenuous. Institutes which do not enjoy this measure of independence, but are extensions of a Ministry and staffed by civil servants, may be restricted to giving advice only when it is sought, and meanwhile they must base their teaching on official doctrine, whether or not it seems to correspond with the facts on the ground. It is

[3] See, for example, J. S. Nsarko, *Local Government in Ghana*, 1964, in which the author at times seems to be describing the British system, in terms of the relationship between councillors and officers, and the provision of local services by semi-independent local democracies.

[4] JLAO, Vol. IV January 1965, p. 28.

significant that the most independent of the institutes under review – at Addis Ababa – is the one whose advice is most frequently sought and whose influence on policy is greatest, and it would surely be a sound investment on the part of governments generally to give their institutes comparable freedom and status. It is part of the modern *malaise*, which even infects universities, that no-one has sufficient time to think, so that policy is apt to consist of a series of expedients agreed under pressure, and official doctrine remains unchanged when the facts have left it behind. Nowadays, men whose best contribution to their job might well be a week's uninterrupted thought would hardly feel that they were earning their pay if they dealt with no paper and made no decisions, and few employers would regard a week's thinking as a week's work, though it might well be more exhausting, as well as more profitable, than a week's administration.

Institutes of administration in particular will quickly become sterile if their staffs cannot find time to think, or if their function is strictly confined to passing candidates through courses; surely they should be able to make more time than hard pressed politicians and civil servants, and to employ it in this direction. In theory, then, this sentence from the Zaria Report would seem to be acceptable; whether it could be so in practice remains to be seen. No minister can allow policy to be made outside the walls of his Department, but he can encourage its formation and discussion, and can meet the reasonable demand of those who teach to know what they are teaching *for*. There is of course no short cut to a right relationship between Ministry and Institute, for institutes must win the right to be consulted by proving their worth, as the one in Ethiopia has done, and this takes time. Meanwhile the second of our two quotations presents them with a dilemma.

If it is true that the most essential purposes of decentralization are "political unity and economic development", then teaching in local government schools, or local government 'wings' of institutes, should be firmly rooted in the fact, and this might require a good deal in the conventional syllabuses to be discarded or diminished in order to make more room for economic and political instruction. Neither subject is of course neglected, but neither is perhaps given the pride of place which contemporary facts seem to require.[5]

Local government in Africa has never been a popular movement, but has been inspired and directed from the top. Consequently its purposes have changed as the men at the top have changed, for African leaders today have different motivations from their British predecessors. A great deal which interested the British does not interest them at all, though they are prepared to use the same instrument if it proves serviceable for their own new purposes.

> " . . . it was fashionable . . . a decade ago to say that the purpose, or at least one of the purposes, of local government, was to provide a training-ground for a people aspiring to self-government at the centre. This cuts no ice with political leaders who are probably only nominally interested in local government and in any case have seen that the grant of independence to any country has nowhere been related to the state of local government in that country. Again, if the purpose of local government is stated to be the dispersal

[5] There is nothing new in Mr. Gardiner's assertion. The argument presented here can be found substantially in a private document written by Mr. C. A. G. Wallis as long ago as April, 1960. The following paragraphs borrow from this document, though the views presented are not those of its author.

of the power of the State, this will make little appeal to a leader who believes in the monopoly of power."[6]

Today, if local government could show that it was a useful instrument to assist in economic development it would have the politicians' full backing; otherwise they might dispense with it without regret. It follows that a large part of a local government training syllabus should be concerned with development economics. This is obviously not going to be taught, as a science, in the time available or to the calibre of men who will be available for the training. On the other hand it should be possible to orientate the instruction towards it, instead of towards the provision of 'services'.

The idea that economic development is the main purpose of local government cannot of course be pressed very far. If local government had no other function it would have to be disbanded, for even the major local authorities in Africa can only *assist* in such development, and many of the minor ones, whose field staff consists of a foreman and some labourers, could hardly even do that. In any case the public utilities which are the foundations of economic development – water, electricity, communications, sewerage in the towns – would hardly profit from local representative planning or control, except within very restricted limits. Civil engineering enterprises of this kind are better administered by public boards or corporations or by provincial departments of government. The crux of the matter is that local government services which may be 'productive' in the long run, like schools and health centres, should not outstrip the capacity of more immediately productive enterprises, like agricultural schemes and small industries, to pay for recurrent social costs. This happens at the moment, and what is required is that local authorities should assist the central government to restore a balance.

In what does such assistance lie? Is it indeed necessary at all, or would it be wiser to leave all development to central agencies? Can local representative councils do or say anything relevant or effective?

There are several reasons for an affirmative answer to the last question. Most major development schemes are piloted by foreigners, and must be 'sold' to the local people if they are to win their support and participation. They can fall short of the best, perhaps by being established in the wrong place, from lack of local knowledge, e.g. of climate, soil or custom. They can collapse entirely through local apathy or passive resistance. They can miss ideas that would have improved them. In other words local authorities can take part in economic development not by being responsible for it, but first by making it possible and then by making it better. Some would argue that they should determine local priorities within the framework of a larger plan, or exercise limited discretion within a direct allocation of funds or staff. This would certainly give them a sense of purpose, but if national development is the aim, rather than equality, the planners would probably want to concentrate on areas of high potential, whereas local authorities would probably dissipate resources in order to achieve equality, or think it their duty to assist the poor and backward areas.

But whatever the exact functions of the local authorities may be, they would not be able to discharge them unless their councillors and staffs had been drilled in the rudiments of economic planning and the execution of schemes.

A further contribution of local authorities, or at any rate the larger ones, might lie quite simply in administration. Central development agencies send

[6] Ibid.

technical experts into the field to launch their schemes, but their administrators usually remain at the seat of government, and long distance administration, or even administration by strangers on the spot, is not always as efficient as administration by local people, even if they are less 'high-powered'.

In general, then, the teaching in institutes might take greater account of these considerations. Specifically, case-studies could be built up round small development projects, with emphasis on costing, budgeting and planning. Since local projects cannot be imagined realistically in a vacuum, this would introduce the national development plan, and the manner in which the local plan would be dovetailed with it. The economics of development are already taught on administrative courses, but the ABC or common-sense of development needs to be taught more on local government courses.

Training of all kinds could probably be improved by relating some of it more exactly to what people are actually doing in their work, instead of designing a course of training which is thought generally suitable for *the* administrative officer, *the* executive officer, and so on. Nowadays jobs are being 'analysed' and 'evaluated' with increasing precision, and job analysis and evaluation actually appears in some syllabuses as a technique to be considered – or at least to be aware of. It is perhaps insufficiently applied to the jobs of those who are themselves to attend training courses, for there seems to be some doubt as to how an analysis of the working time of public servants would now compare with that of their predecessors, ten, five, or even two or three years ago. Information of this kind would seem to be the basis of a realistically planned syllabus. Speaking somewhat speculatively, there seems reason to suppose that new political pressures have greatly altered the shape of many public servants' work while syllabuses in institutes of administration are still partly based on the working day of the expatriate officer who was free from them. There seems to be scope for investigation here, for analyses of how people spend their working time can be very interesting, sometimes revealing that a major part of it is occupied with matters of little relevance to what the Administration is supposed to be aiming at.

The late Sir Henry Gurney, when Chief Secretary of the Gold Coast, caused such an analysis to be made in 1946, requiring officers to consult their diaries and add up the time spent in different employments. It appeared from the result of this that the expatriate service was spending most of its time on matters of little consequence to a developing country. Until they came to do these sums they had not realized it themselves, nor understood the extent to which they had allowed themselves to be diverted from constructive work.

The background political teaching in some institutes still has an unexpectedly strong flavour of western liberalism, and is concerned with topics of decreasing relevance such as the nature of constitutional opposition, the quasi-independence of local councils, the separate spheres of central and local government and the integrity and public spirit of councillors. Two changes of emphasis seem to be needed in order to come to terms with the facts.

First, that since 'party politics'[7] cannot be kept out of local government, even at the level where it performs only minor tasks of no political significance; and since in most African States there is only one party; and since local political commissioners are now universal – *therefore* local councils must be accepted as local arms of the central party, whose function is to execute party policy and

[7] The phrase is used in inverted commas as a reminder that in Africa, unlike Britain, the aims of parties have little relevance to the statutory functions of local authorities.

contribute to national unity.[8] They are not likely thereby to carry out their *local government* functions less efficiently; indeed they seem to discharge them better, for being politically united they are able to pay more attention to their work and less to the party warfare which is irrelevant to their proper function. They can in fact speak as local citizens on local issues and not as 'partymen' on national issues. The arguments for the single-party state in Africa are now familiar and need not be repeated here; the most telling from our immediate point of view is that the task of turning fortuitous *congeries* of peoples from nominal political states into actual patriotic nations needs *every* institutional aid; and since local authorities are perhaps the most important and certainly the most ubiquitous local institutions, they above all must justify themselves from this point of view.

Second, it seems that we must accept the fact that unless and until statutory councils can command a loyalty comparable with that given to family and tribe, councillors seek election mainly in order to make money.[9] This is not remarkable for so do Members of Parliament, and most readers will be familiar with the councillor's argument that if the local member is making £2,000 a year out of politics surely he (the local councillor) is entitled to £500.

It seems necessary therefore to accept the fact that the 'public service' is one and indivisible and that the western distinctions between politician and civil servant, or councillor and official, have only a tenuous validity. The distinction between the elected and appointed person of course remains, but both must be thought of as full-time professionals, though in terms of English local government the 'amateurs' may make more money than the professionals.

The curious situation whereby public money is spent in order that some elected persons shall be able to enrich themselves further at the expense of the people who provide it has caused many people to suggest that the whole electoral process is so anomalous and absurd that it should be abandoned; especially as in some countries the men concerned are young and unemployable. It is admittedly an odd position, and there are grounds for hoping that at any rate the *number* of these beneficiaries of the public purse will some day be reduced. Meanwhile, the argument for their retention, apart from the fact that it would be difficult to get rid of them, is that the fact of being self-seeking is less important than the fact of being local, for it is necessary that people locally shall be associated with government, even if their choice of representative is ingenuous; and that furthermore the day will come when national institutions will be something to be proud of instead of something to exploit, and that as the electorate grows in understanding the problem will diminish.

This is digression. The point is that the philosophy of local government, as taught in institutes of administration, should not be disingenuous or related to an imaginary situation. If we want honesty and voluntary service at once we will have to go back to tribalism; if we want to go forward to national patriotism we must try to diagnose and alleviate the growing pains.

We have discussed the facts as they are, but institutes of administration should surely be paying attention to the facts as they ought to be. Nothing will last unless it bears some relation to local ways of getting things done, and these vary widely even within one country. Local custom in the deliberative, legislative

[8] Nigeria fits fits roughly into these remarks if 'regional' is substituted for 'national'.

[9] The qualification is important. The most corrupt African councillor would no more rob his family or tribal group than an English Quaker alderman would accept a bribe from a contractor.

and executive process still needs a good deal of study, the fruits of which could be applied to the kind of legislation which is necessary in the twentieth century. (Or is it? Or is this also an uncharacteristic import?) It is surprising also how much of the practice of government and administration in Africa is based upon the majority vote, which is not the way in which decisions have traditionally been made, and which is by no means necessarily acceptable today. It seems unlikely that anyone outside the institutes of administration is giving sufficient thought to these matters.

In speaking of economic development and political unity we have been concerned merely with a shift of emphasis. The hard-core duties of local government remain. Someone must attend to sanitation, markets, dispensaries, lorry-parks, lay-outs and the rest, and for these local authorities are necessary, for there is no other agency to provide them. This brings us to the point that institutes of administration can do comparatively little effective local government training inside their own walls, for at the most they can instruct the more senior officers, chiefly those whose duties are administrative and financial. Administrative and executive officers of Government return after their training to a large organization, which supports them after a fashion even if it is far from perfect, and which they in turn can hope to make better, whereas many local government officers return to an extremely fragile organization. Civil servants deal with files, conferences, policies and decisions, for which the people and the apparatus are at least to hand. Local government officials, if their work is to have meaning, must deal on the one hand with 'works', involving artisans and machines, and on the other hand with councillors, who can make or mar whatever they try to do. It is little use improving officials if improvements are not also being made in these directions. This however is work which cannot be done *in* institutes, which have neither the space nor the facilities, and for whom such work would be inappropriate.

In some countries, for example Northern Nigeria and Zambia, and at the Local Government Training Centre in Tanzania, provincial or peripatetic training schemes have grown up alongside, or have preceded, the central institute, and it seems important that this kind of work should be extended, since the training of artisan and junior staff involves large numbers and must be decentralized. There are obvious advantages, in the selection of entrants and the exchange of teaching personnel and of ideas, if a parent institute is in close touch with such 'extramural' activities.

In several Ministries of Local Government the training of councillors is thought to be even more urgent than the training of staff, for councillors working in ignorance or misunderstanding of their proper functions are a serious brake on progress, and can indeed bring it to a standstill. Quite apart from those who openly seek office for the spoils are the large numbers whose knowledge of the purposes of local government, or of their own supposed duties as councillors, are rudimentary in the extreme. Again it may seem anomalous to elect men to serve as councillors, which can only imply that they are deemed capable of carrying out certain duties, and then to set about teaching them in the simplest terms what these duties are supposed to be, but the alternatives are either to abandon the idea of local representation or to accept whatever emerges from an imperfect system of democracy. Many councillors are illiterate, and although this does not affect their ability to represent their people it is a serious complication to have to introduce people who cannot read or write to the workings of an institution which is largely bureaucratic and which depends so much on

the understanding of papers and reports. At the other extreme are men of some importance locally who have other responsibilities which will prevent them attending training sessions, except of the briefest kind, and who do not always take kindly to returning to school under the tutelage of officials. For the first kind of councillor the provincial or similar training centre can do a great deal.[10] For the busier or more sophisticated some extra-mural departments of universities have proved an acceptable channel through which conferences or short courses can be arranged, as attendance at a university involves a certain *cachet*.

An activity for which there is a growing need is local correspondence courses. For some years the leading institutes have been preparing for the intermediate stages of professional examinations, and have collaborated with the headquarters of professional bodies in England both in adapting syllabuses and in preparing for examinations by correspondence, but this is not the same thing as being in the correspondence course business themselves, For a number of reasons this is probably a future activity of some importance. Negatively, since Africans will undoubtedly take overseas correspondence courses if no local alternative exists, it would be a move forward to see that they were as relevant as possible, as cheap as possible, and that they were conducted, and the papers marked, by people familiar with local conditions. Everyone knows how much is irrelevant in some of the most popular courses today. More positively, the number of people undergoing planned courses of training could be multiplied many times over, and the knowledge and talent available in the country disseminated more widely. To establish and maintain a correspondence course needs a good deal of apparatus, staff and a certain amount of expertise, but the subject need not be surrounded by mystery, and if their establishment could be justified they could probably be achieved.

We have seen in an earlier article that local government training is not yet established in the newer institutes of administration, since it is having to take its place in the queue, and this is the place at the end. We argued that it should be so established, since the modern African outlook on local government hardly admits of a clear distinction between central, provincial and local administration. We may now modify this by suggesting that a local government division or wing may be ineffective unless it is supported by, and closely connected with, provincial or other training schools.

It also emerges from this discussion that a teaching function cannot stand by itself, *in vacuo*, but that it needs to be nourished and informed by closer investigation into the work which is actually being done by its students. It is a platitude in universities that teaching and research must go hand in hand, though a case can be made against this in the actual circumstances of university life,[11] and in institutes of administration the word 'research' is best avoided. But it can be said with confidence that it is even truer in these institutes than in universities that teaching will become sterile and uninspiring unless those who engage in it are spending as much time – over a period – in investigating their subject as in teaching it, for the circumstances of public servants in developing countries change as rapidly as the frontiers of academic knowledge.

[10] For example, the provincial training centres in Zambia are able to provide two-week courses for councillors, who presumably have no other day-to-day calls on their time. But it is in India that the training of 'non-officials' has achieved the greatest volume and engaged in the greatest experimentation.

[11] It was very ably made by A. P. Rowe, formerly Vice-Chancellor of the University of Adelaide, whose views are highly unpopular in most of the academic world, in an article 'Redbrick and Whitewash' in the *Universities Quarterly*, Vol. 14, No. 3, June 1960.

The Political and Administrative System of the Territories of the Comores[1]

by François Luchaire

Introduction

In addition to its four overseas departments (Guadeloupe, Guyane, Martinique and Réunion), France still possesses seven overseas territories which are: the Comores, French Somali Coast, New Caledonia, French Polynesia, the Islands of St. Pierre and Miquelon and the French Australasian and Antarctic Territories.

These seven territories are an integral part of the French Republic of which they constitute territorial units;[2] all the nationals who reside in them are French citizens whatever their race, their origin, their religion or their code of private law. With the exception of the Australasian and Antarctic Territories which no-one inhabits permanently, they are represented in the central institutions of the Republic since they take part in the election of the Head of State and each one elects (under the same conditions as in the Metropolis) a deputy and a senator. The Comores however have two deputies.

A minister with geographical responsibilities – the Minister of State responsible for the Overseas Departments and Territories – exercises, in respect of the Comores, a general responsibility for direct administration, except for those matters relating to justice and the management of the armed forces; for the overseas departments he has only a co-ordinating function. The French Government only intervenes in those matters reserved for the French State because it is the local authorities, as elected, who decide the majority of matters.

Within this general scheme it is proposed to study in a more detailed way the political and administrative system of the most highly populated of the overseas territories, the Archipelago of the Comores.

This territory which has more than 200,000 inhabitants, the majority of whom are Moslems of the Shafi sect, has often been compared with Zanzibar from which it is not distant since it is situated in the Indian Ocean between Madagascar and Tanganyika. It is made up of four islands: Mayotte, Anjouan, Moheli and Grand Comore. It has recently transferred its capital from Dzaoudzi to Moroni, the most important town of the Archipelago although it has only 8,000 inhabitants.

Finally, it has been the subject of comparatively recent political evolution having been granted freedom of administration by the Law of 22nd December, 1961, which has made it the French overseas territory with the most decentralized constitution.

This constitution represents only the present state of its political evolution because this must continue, to quote Article 1 of the Law, "in order to lead the people of the Archipelago further towards the freedom to govern themselves and to administer their own affairs".

---

[1] This article is a translation from the French.

M. François Luchaire is Professor of the Faculty of Economic Science at Paris and Director of the Institute of Higher Overseas Studies.

[2] Articles 72 and 74 of the Constitution.

Freedom of administration is a well marked form of internal self-government. The Law reserves certain powers for the central institutions of the French Republic which are represented by a High Commissioner; it creates political institutions (a Council of Government, and a Chamber of Deputies of the Comores) administering local interests but allows for a trusteeship, albeit limited, and finally it defines the subdivisions of the administration.

The Powers of the Republic

Central institutions

The powers of the Republic deal essentially with those fields withheld from the competency of the Chamber of Deputies of the Comores by Article 11 of the Law. This article outlines the sphere of application of French law and the powers of the High Commissioner.

The sphere of French law as defined by Article 34 of the Constitution[3] remains reserved for the central institutions of the Republic with the result that the way in which the provisions of legislation or orders made by delegation of Parliament are carried out remain within the competency of the French Government.

Amendment of the constitution of the Comores also remains within the competency of Parliament after consultation with the Chamber of Deputies of the Comores (Article 74 of the Constitution and the first article of the Law).

Finally Article 32 of the Law retains the regulations of customs within the competency of the central government of the Republic.

Other powers remain allotted to the central institutions of the Republic even when the texts are silent. They are those which follow from the fact that the Comores is a parcel of French territory. The result of this in effect is that

---

[3] Article 34 of the French Constitution states:–

"The law is voted by Parliament. The law sets out:
(*a*) Civic rights and fundamental guarantees accorded to citizens for the exercise of public liberties; the restraints imposed in the interests of national defence upon citizens and their goods;
(*b*) nationality, the status and legal capacity of people, the laws of marriage, inheritance and gifts;
(*c*) the definition of crimes and offences as well as the punishments to be applied; penal procedure; amnesty; the creation of new orders of jurisdiction and the jurisdiction of magistrates; and
(*d*) the assessment, the rate, and the means of recovering taxes of all kinds; the system of issuing money.

The law also lays down regulations concerning:
(*a*) The method of electing parliamentary and local assemblies;
(*b*) the creation of categories of public establishments;
(*c*) the basic guarantees given to the civil and military servants of the State; and
(*d*) the nationalization of undertakings and the transfers of ownership of public sector undertakings to the private sector.

The law also fixes the basic principles of:
(*a*) the general organization of national defence;
(*b*) the administrative scope of local units, their powers and resources;
(*c*) education;
(*d*) the system of ownership, substantial rights and obligations, both civil and commercial; and
(*e*) laws of employment, of trade unions and social security.

The financial laws determine the resources and the expenses of the State within the conditions and under the reserves laid down by an organic law. The planning laws fix the objectives for the State's economic and social activity. The provisions of this article may be explained and completed by an organic law."

problems common to all the French territories can only be regulated by the central Government of the Republic, notably for foreign affairs and finance. Moreover, within these fields important prerogatives have been conferred by the Government upon its representative, the High Commissioner.

The High Commissioner

The High Commissioner is appointed by the Ministers by a decree in Council. A Secretary-General appointed by decree assists him and in case of need deputizes for him. To exercise his functions he can make use of the services of the State which are the same as in the other overseas territories with the exception of the customs services, the administrative police, the inspection of employment, and the social laws which by law have been given to the territories.

On the other hand he no longer has the status of head of the territory, a status which has been reserved for the Governors of the other overseas territories and which places them at the head of the public services of the territory. The public services of the territory, that is to say all those which do not specifically fall within the category of State services, are placed under the direction of the Council of Government.[4]

Functions of the High Commissioner

(*a*) *In relation to legislation and statutory regulations*

In matters concerning legislation and statutory regulations he promulgates metropolitan laws and decrees within the limits of those subjects reserved for the State and ensures that they are carried out. This confers on him, for the same subjects, power to make regulations.

In addition, since he is charged "with ensuring respect for public liberties and individual or collective rights recognized by the Constitution", he can also make regulations for this purpose.

(*b*) *In defence matters*

He is responsible for external security of the Archipelago within the framework of the laws and regulations. The Archipelago forms part of the defensive zone of the Indian Ocean for which the Inspector-General Extraordinary of the Administration (IGAME), the Secretary-General of the Overseas Departments is responsible or, in his absence, the Prefect of Réunion. The High Commissioner thus receives instructions from this high official for the preparation and execution of non-military defence measures.

In the event of imminent danger resulting from grave public disorder, or in the case of events promising by their nature and gravity to be public disasters, a state of emergency can be declared jointly by the High Commissioner and the President of the Council of Government after the said Council has expressed its opinion. In the event of disagreement between these two authorities, the

---

[4] The State services are the following:–

Representation of the central power; external relations (diplomatic and consular relations, control of the frontiers, external trade, exchange control, immigration); general security (armed forces, police, cypher service, passive defence, mobilization of the economy); judiciary (only for the application of French law) control of external communications (aviation, general meteorological information, air security, radio communication and sub-marine cable networks, maritime security, registration of shipping, harbour masters); and finally, certain economic, social and cultural services of common interest (treasury, planning service for investments in which the State is interested, geographical service, geological mapping and Atomic Energy Authority, higher education, broadcasting and, later on, television).

High Commissioner can declare a state of emergency on his own if he considers that national defence, the interests of state, or order among the general public of the Archipelago are at stake.

In both cases the prolongation of the state of emergency beyond fifteen days requires a decree by the Council of Ministers.

When a state of emergency has been declared, the High Commissioner exercises the same powers as those conferred on the Minister of the Interior and by the Prefects by the Law of 3rd April, 1955. He ensures that the measures prescribed by law are carried out.

(c) In regard to exterior relations

The High Commissioner can, with the authority of the Government of the Republic, conclude agreements governing the special relationships of the Archipelago with neighbouring states, but the prior advice of the Council of Government is required.

(d) In regard to public services

He directs the public services of state and he prescribes the expenditure of the state. He exercises trusteeship in respect of national public property and controls the activity of firms with joint economies (in which the State has an interest) and the state enterprises in the Archipelago. He holds a watching brief over the civil status of persons affected by regulations under the common law.

The Freedom of Administration

The extent of autonomy

The extent of administrative autonomy is determined by Article II of the Law of the 22nd December, 1961, according to which the Chamber of Deputies of the Comores "debates the communal affairs of the Archipelago which do not touch upon the sphere of the law nor on the functions of the High Commissioner".

This formula however raises quite a difficult problem of interpretation because amongst the functions of the High Commissioner is that of the management of public services of state and it could be asked whether or not the statutory regulations, which these services must apply, encroach upon local competency.

There is a definite reply to this because the law of the 22nd December, 1961 must be interpreted by reference to previous legislation, that is to say, to the law of the 23rd June, 1956 and its degrees of application. The latter distinguish very clearly between the division of the services and the division of subjects. In this previous legislation the division of subjects does not correspond with the division of services. It is the same today and the fact that certain services are state services does not signify therefore that the regulations which they apply are matters of State.

In those subjects which concern these services the Comorian authorities thus have competency, except for those covered by Article 34 of the Constitution.

The Council of Government

The Council of Government is a true local government responsible to the Chamber of Deputies. Although a collegiate organization, it is in fact composed

of the President of the Council of Government (the Head of Government) and the Ministers chosen by him.

(*a*) *The President of the Council of Government*

The President of the Council of Government is elected by a two-thirds majority in the Chamber of Deputies without any set term of office. It will be apparent however that he must be re-elected after each general election of the Chamber. If after seven ballots no candidate obtains a two-thirds majority the Chamber is dissolved and new elections are put in hand within two months.

The status of the President of the Council of Government as also that of a Minister of the territory, is quite different from that of a member of Parliament (French), a member of the Economic and Social Council, or the President or a Member of the Bureau of the Chamber of Deputies. In case of temporary inability or absence the President appoints one of his Ministers to take his place. In the event of the total indisposition of the President, the whole Council must resign and a new president is elected.

The President appoints the Ministers who, with him, make up the Council of Government and puts each of them in charge of one or more departments of the administration. He can also terminate their appointments because each Minister is responsible to the Council of Government, over which he presides. He appoints its meetings and its agendas.

The President of the Council of Government has power to make regulations in all those matters which do not expressly devolve on another authority under the law. He alone takes the initiative in submitting projects to the Chamber of Deputies.

(*b*) *The Ministers* (*Members of the Council of Government*)

Each minister is responsible for one or more departments of the administration while the Council settles the budget and carries out the decisions of the Chamber of Deputies. It exercises general control over the affairs of the Archipelago and ensures the functioning of the departments for which it is responsible. Each minister regularly informs the Council about the sector for which he is responsible.

(*c*) *The Accountability of the Council of Government*

The mandate of the Council is ended when a censure is voted by a two-thirds majority of the Chamber of Deputies, that is when there is a majority vote of no confidence. In that event the Council resigns.

Conversely, the Chamber of Deputies may be dissolved except during the first eighteeen months after its re-election (unless it has not been able to elect the President of the Government). The law does not specify who may dissolve the Chamber but Article 9, by referring to previous legislation, leaves this to the Head of the French State in Council.

The Chamber of Deputies

The Chamber of Deputies is made up of 31 members who can read, write and speak fluent French. They are elected for five years by direct universal suffrage under conditions laid down by the Order of 31st January, 1959, i.e., in four constituencies by a single simultaneous ballot for a number of vacancies, without splitting of the vote or a preferential vote, or an incomplete list. When there is a vacancy new elections take place, (except during the six months

before the end of the mandate) by a single ballot vote providing that there are not several vacancies at one and the same time.

The Chamber establishes its rules, elects its President and the President of the Council of Government (the latter by a two-thirds majority). It pronounces upon the projects which the President of the Council of Government submits to it. It votes on the budget and ensures that the accounts are in order. It votes upon taxes and rules for collecting the fiscal receipts assigned to the area councils, as well as the equalization of the resources of the Archipelago with those of its constituent areas.

The Trusteeship Control

Control is through the powers given to the High Commissioner by law to attend or to be represented at meetings of the Council of Government and the Chamber of Deputies when the agenda deals with matters within the competency of the State. The High Commissioner may also speak when he so requests.

Control is also made possible by the fact that any decision or administrative act of a local authority must be notified to the High Commissioner before being made executory, published or put into operation.

Control over the instruments of government

Control over the instruments of government comes from the right to dissolve the Chamber of Deputies which, as has been seen, makes it necessary to re-elect the Council of Government. Dissolution may be effected for any reasons of genuine expediency.

Control over acts of government

Control over the acts of government is not based upon expediency. However, the High Commissioner may, within ten days after notification, demand a re-appraisal of any decision or administrative act which he considers to be contrary to national defence, to the maintenance of external security or to public liberties. This re-appraisal may not be refused.

On the other hand, control over the acts of government has a bearing on their legality and allows the High Commissioner to suspend their application.

In fact, any acts by a local authority may be declared null by a decree made in the form of a published administrative regulation, following notice to the Council of State, in cases of "lack of authority, action *ultra vires*, or violation of the law". This formula, an ancient not to say outdated usage, has to be borne in mind when taking account of the progress of contentious administrative matters. In other words, an act may be declared null for any instance of illegality (lack of authority, misuse of power, violation of the law, defect of form, illegality of motive).

The request for an act to be declared null may be made either by the High Commissioner, or by the Minister of State responsible for the overseas territories. This request has the effect of suspending the execution of the act in question for ninety days from the date of notification to the High Commissioner. The Council of Government must be informed at least eight days before the request is laid before the Council of State so that it may present to the Council of State any explanations which it considers useful.

The Constituent Areas

The Comores is divided into four areas, each corresponding to one of the islands: Grande Comore, Anjouan, Mayotte and Mohéli. Each has its own budgetary existence, area council and representation on the council of government. The area is, therefore, at one and the same time a constituency of territorial administration and a local unit. It can be thus compared to a department.

The Area Council

The Area Council is elected for five years by direct universal suffrage by a majority vote on a single ballot for the number of vacancies. Each canton must be represented in each list *pro rata* with its population and by at least two councillors.

In order to be eligible it is necessary, in addition to the general qualifications, to have been resident in the constituency for at least a year and not to be a member of the Council of Government, a concessionary of the area services, nor on military service. The councillors may only collect such travelling allowances as are laid down by the Chamber of Deputies on the motion of the Council of Government.

The Council elects its Bureau for the duration of its mandate, by secret ballot (by absolute majority at the first two ballots and by simple majority on the third ballot). This is made up of a President, Vice-President, and one or two secretaries. It can only make decisions if the majority of its members are present at the meeting. When this is not so, the meeting is put back three working days and may take place without the necessity for a quorum.

The Council regulates by its decisions the affairs of the area, but its decisions are only valid in respect of a list of subjects laid down by law,[5] or by decision of the Chamber of Deputies.

In all other subjects of interests to the area, it may only make known its wishes to the Council of Government which informs it of any subsequent decision. There is, however, an obligation to consult it about the fixing of the ceilings for the rate of taxes which it can establish, the administrative account of the area, local civil statutes, co-operation in and improvement of pastoral agriculture or forestry productivity and any modification of the law of 22nd December, 1961.

The budget of the area includes the ordinary sources of income[6] and special incomes (special receipts and profit from authorized loans). It must by law include as expenses interest on annuities on loans, salaries and expenses of the upkeep of accommodation and works.

The representation of the Council of Government

The Delegate of the Council of Government represents the Council and has the title of Area Head. He is both the representative of the area whose services

[5] Budget, works financed by this budget, fiscal receipts allotted to the area within the limit of ceilings fixed by the Chamber of Deputies, management of properties including legal shares acceptance of gifts and bequests, the use of subscriptions, the drafting of laws concerning land usage and pasturage, police and rural hygiene, public highways for which the area is responsible, organization of fairs and markets, public libraries and cultural centres, charity, assistance, relief and allowances, amendments of the boundaries of cantons and villages.

[6] At least 25 per cent. of the taxes on revenue, land taxes, and of the special additional rates on these taxes; patents and licences; revenue from endowments; the product of taxes upon slaughtering and offals as well as the pound rights when they are not for the benefit of the communities and other receipts authorized by the Chamber of Deputies.

he co-ordinates and the executive organ of the area. In fact, he carries out the decisions of the area council. He reviews contracts and may sue at law in the name of the area. He has the right to place proposals before the area council and to attend its meetings.

The trusteeship control

Trusteeship control is exercised partly by the French Government and the High Commissioner and partly by the Council of Government. It covers both the administrative organization and its acts.

Control over the administration rests with the French Government which, having consulted the Council of Government, may dissolve by Ministerial Decree in Council, an area council which does not meet, meets contrary to local rules or makes decisions in respect of matters which are not within its competency. New elections then take place within three months and in the interval the President of the Council of Government appoints a special committee of three members presided over by the area head.

Control over administrative acts is facilitated by the fact that decisions of the area council are made executory by the President of the Council of Government and published through his representative.

Decisions of the area council may be annulled by the High Commissioner after consulting the President of the Council of Government when they endanger national defence or the maintenance of security or public liberties. Since the law does not specify the date on which such annulment shall take effect, it appears that the common law period, that is to say two months, is operative. On the other hand when there is a case of illegality the High Commissioner can, upon the advice of the President of the Council of Government, declare that a decision is null and void. In conformity with the administrative legal procedure relating to the trusteeship this declaration may come into effect without any delay.

Responsibility for the budget falls upon the President of the Council of Government who authorizes the area budget in council or authorizes it *ex officio* if, because it has not been balanced and voted upon, he has not been able to authorize it on the first day of the financial year. If the budget is not established in conformity with the law the President of the Council of Government sends it back to the area council to make the necessary amendments.

The cantons, communes and the villages

The organization of the cantons and the villages is not laid down by the Law of 22nd December, 1961. It therefore falls within the province of the Chamber of Deputies of the Comores. The communes on the other hand are the subject of legislation in conformity with the Constitution.

The canton

The organization of the canton is specified by Orders dated the 15th January, 1959 (implicitly repealed by the Law of the 22nd December, 1961, so far as the area is concerned, but remaining in operation with respect to the canton), and an Order of the 20th January, 1959.

The canton is represented by a convention made up of eight delegates elected by a majority vote on a single ballot, without a preferential or split vote or an incomplete list, by and from the village delegates who are themselves elected in each village by a similar ballot, there being one delegate for fifty tax

payers. This convention is purely consultative, giving opinions on those questions which are submitted to it by the area head and making its wishes known on any question which is of direct interest to the canton. It meets at least twice a year when called by the area head who presides over it (or nominates one of his assistants to preside). The indigenous chief and the canton head attend its meetings. The village heads may be invited to attend by the president of the convention.

The village

The village constitutes the basic administrative and social unit upon which the public life of the community rests. Its existence is confirmed by the area head sitting in the area council but no village may be established unless it contains at least twenty-five tax payers registered on the role of minimum fiscal taxes and local taxes. The village is administered by a village head and a council of notables.

(*a*) *The village head*

The village head is elected for five years by universal suffrage by a single majority ballot. He may be re-elected, and may be assisted by an assistant village head whom he appoints, and in the hamlets or wards by an assistant village head appointed at his suggestion by the area head.

He represents the population in all social and administrative matters affecting the community and trains the village police in maintaining security, peace and health. He also represents the administration and in that capacity ensures that laws and administrative regulations are carried out, principally in fiscal matters, and may record breaches by written reports which have an information value.

He may receive a monthly stipend and, as do the hamlet heads or ward heads, a commission on the income from penalties imposed under income tax legislation as laid down by the area head.

He may be suspended from his duties for grave misdemeanour by the area head who may also dismiss him with the agreement of the area council. In such a case, the area head nominates the village head on a temporary basis. If there has been a dismissal a new village head is elected within three months and the one who has been dismissed is not eligible for re-appointment for three years.

(*b*) *The council of notables*

This council consists of village delegates (i.e., the electors of the convention) as well as other prominent people appointed by the area head. It is presided over by the village head.

The council may only help and assist the village head with its moral authority. It may make its wishes known and give opinions. Any petition or collective request from the population of the village may only be examined by the administration after consultation with the council of notables.

The communes

Communes with 'full powers' may be created by the President of the Council of Government in Council after similar consultation with the Chamber of Deputies and the agreement of the Area Councils.

Following the same procedure (except that the consultation with the Chamber of Deputies need not be similar) rural communes or communes with limited

powers may be created for localities which are sufficiently developed to balance their budgets. Moroni and Mutsamudu alone have been organized as communes. Both are communes with limited powers.

(*a*) *Commune organization*

The mayor administrator is appointed by the President of the Council of Government. The municipal concil counsists of twenty councillors elected for six years by absolute majority through a double list ballot amongst the citizens who have spent at least six years in Comores of which three have been in the commune. For these elections each commune is divided up into wards. By-elections are held when the council has lost half of its effective membership (except during the six months preceding a new election). Two deputy mayors are elected from among the municipal councillors under the same conditions as in the metropolis.

(*b*) *The administration of the commune*

The commune administers itself as in the metropolis with the following differences:

As regards the procedure of the municipal council, the mayor can call the council when he judges it necessary and he is only obliged to do so if a justifiable request is made to him by the majority (and not a third) of the council. During an extraordinary session, the council may only concern itself with the subjects which are the reason for it being called. The quorum is laid down as being a majority of the members in office and the council may not proceed in the absence of a quorum.

So far as the status of the mayor administrator and his deputies and the municipal council is concerned the law specifies that any charges for restitution of damage, either actual or moral, resulting from an accident of which they are the victims while carrying out their duties, falls on the commune.

(*c*) *Trusteeship control*

The administrative and financial trusteeship of the commune falls upon the President of the Council of Government and presents certain peculiarities.

Control over the government organization empowers the President of the Council of Government by Order in Council to suspend for a month the municipal council and even to dissolve it. In the case of a dissolution, a special delegation is appointed and elections must take place within three months.

The deputies may be suspended or dismissed by an Order of the President of the Council at the suggestion of the Comorian Minister of the Interior.

Control over the acts of the commune is more extensive than in the metropolis. The list of decisions to be submitted for approval is much longer. Leases of more than five years are included, as well as transfers of communal property, the assignment to a communal service of a communal property not already assigned to a public service, all acquisitions of accommodation, constructions or reconstructions, projected new works and major repairs, new roads, the acceptance of gifts and benefices, the budget, supplementary estimates, loans, special contributions, increases of salaried employment, everything concerning communal rights, taxes and revenue, labour exchanges, supplies and concessions. Approval requires an express decision since there can be no tacit approval. Decisions not submitted for approval become

executive one month (instead of fifteen days in the metropolis) after their reception by the Council of Government which may shorten this delay.

In the same way for the annulment of a decision the delay is thirty days, instead of fifteen days. When the President of the Council of Government is presented with a request for annulment, he has thirty days, instead of fifteen days, to pronounce upon it.

Conclusion

The Comores Archipelago has today a very special constitution which approximates closely to independence. It is possible that one day independence may be obtained because the people of the Comores do not appear in favour of integration with the Republic of Madagascar although Majunga, the second town of importance in Madagascar is the one which contains most Comorians. The example of the independence of Zanzibar and what follows does not encourage the present generation which governs the Archipelago to imitate the former Sultanate. The generation which follows however may think otherwise especially if the present constitution does not allow it to attain the political and administrative posts to which it may aspire.

Analysis of the Community Development Administration at Village, Block and District Levels

by Dr. K. N. Singh and B. K. Singh

The problem

Administration, in general, is conceived as the necessary activities of personnel in an organization who are charged with ordering, forwarding and facilitating the associated efforts of a group of individuals brought together to achieve certain pre-decided objectives. Administration in a community development programme is meant for providing a suitable form of organization with efficient personnel management, to plan and execute the programme with proper budgeting, to ensure co-ordinated approach of different development departments, to give proper direction and supervision and to report and evaluate the activities for reconsideration.

The present study was planned and conducted in the year 1961-62 to analyse the community development administration and to detect the barriers and conditions in the operational and administrative structure which might be impairing the attainment of a programme's objectives.

The study aimed at analysing the various aspects of community development administration, viz., organization, personnel management, planning and execution, budgeting, direction and supervision, co-ordination, reporting and evaluation, at village, block and district levels. The research area was Gorakhpur Division of Uttar Pradesh comprising the four districts – Azamgarh, Basti, Deoria and Gorakhpur.[1] Two blocks from each district – one an outstanding and the other an ordinary block – were selected based on the preceding year's block reports available at the district headquarters.

The research techniques used in this study were structured studies with questionnaires, unstructured studies, content analysis of the records, contextual studies and personal discussions. The questionnaire method was however the most important single method used.

The respondents of the study were village level workers, assistant development officers, district technical officers, and administrative officers (block development officers and district planning officers). Their distribution has been shown in Table I below.

Dr. K. M. Singh, M.Sc., Ph.D.(Wis.), U.S.A., is Professor of Agricultural Extension, Indian Agricultural Research Institute, New Delhi. Mr. B. K. Singh is a research scholar, recently of the I.A.R.I.

[1] Gorakhpur division is situated in the State of Uttar Pradesh (U.P.), India, and consists of the four districts of Gorakhpur, Azamgarh, Deoria and Basti. The total area of the division is 9,269 square miles with a population of 8,906,643. About 91 per cent. of this population depends on agriculture. Eight community development blocks, two from each district, were selected for this study. The total area of all the selected blocks under study is 553.35 square miles with 1,278 villages and 613,634 population. This is one of the most thickly populated areas. The administrative set-up for community development work at district, block and village levels is more or less uniform throughout the State and consists of a district planning officer with district technical heads of development departments at district level, a block development officer, and assistant development officers at block level and village level workers at village level. Normally one block development officer, eight assistant development officers, and ten village level workers are located in a block.

TABLE I

Categories of respondents, No. of questionnaires issued and replies received.

Categories of respondents	No. of questionnaires issued	Replies received	
		No.	Percentage
1. Village level workers.	85	70	82.36
2. Assistant Development officer.	48	40	83.33
3. District technical officer.*	32	22	68.75
4. Administrative officers:			
Block development officers.	8	7	87.50
District administrative officers.†	8	5	62.50
Total	181	144	79.50

* District agricultural officers, additional district agricultural officers, assistant registrar (Co-op.), district livestock officers, assistant panchayati raj officers, district industries officers, district statistical officers.

† District planning officers, assistant district planning officers.

Findings

The concept of a community development programme and general background

In order to be effective the personnel of an organization must have a clear concept of the programme of the organization. An attempt, therefore, was made to ascertain the concept of the community development programme as conceived and understood by the different categories of personnel. A few selected 'agree' and 'disagree' statements were given. The responses have been presented in Table II.

TABLE II

Distribution of response regarding concept of the community development programme.

Statement	V.L.Ws (70)		A.D.Os (40)		T.Os (22)		A.Os (12)	
	A*	D†	A	D	A	D	A	D
1. It is a people's programme with government participation.	63	7	31	9	6	16	9	3
2. It is a government's programme with people's participation.	—	70	—	40	16	6	1	11
3. Community development is the method and rural extension is the agency through which five year plans seek to initiate a process of transformation of social and economic life of people.	9	61	7	33	17	5	—	12
4. Community development is the aim and rural extension is the method of mobilizing and developing self-reliant and harmonious village communities.	70	—	36	4	3	19	12	—

*A = Agree; † D = Disagree.

It is evident from Table II that in general village level workers, assistant development officers and administrative officers seem to be clear about the concept of the community development programme, i.e., 63 out of 70 village level workers, 31 out of 40 assistant development officers and 9 out of 12 administrative officers have agreed that community development "is a people's programme with government's participation" but there seems some confusion in the minds of district technical officers as 16 out of 22 did not agree with this view. But to another statement that "community development is the aim and rural extension is the method of mobilizing and developing self-reliant and harmonious village communities" all the village level workers (70), 36 assistant development officers, all the 12 administrative officers and 19 district technical officers agreed.

To another question, as to what led the village level workers, assistant development officers and block development officers to serve the Community development Programme, the answers from village level workers were:- real interest for working in the villages (63), poor economic conditions (43) and the problem of unemployment. Assistant development officers were motivated to join this service because of real interest for working in the villages (37), future prospect in the service (18), and the problem of unemployment (13). Block development officers joined this service because of real interest for village work (6), better social status (4), better pay scale and the problem of unemployment (3).

As regards the relative liking for the job, 64.28 per cent. village level workers, 65.00 per cent. assistant development officers, and 85.71 per cent. block development officers are willing to continue in the community development services even if they are offered equal pay and status elsewhere.

But a substantial percentage of village level workers (35.72 per cent.), assistant development officers (35 per cent.) and one block development officer (14.29 per cent.) would like to change for another job of equal status, which means that they are dissatisfied with this present job. Low pay scale, lack of people's co-operation, lack of adequate working facilities and no freedom for initiative were the main reasons given for their dis-satisfaction.

Organization

An important organizational task is to determine the span and nature of control within the administrative structure. But this control should be of such a nature that the working and initiative of a worker are not hampered. The nature of control especially on technical personnel in the present set up of community development administration is of two types; one from the executive side and the other from the technical side. In order to ascertain the view about such a control a question was asked from technical personnel both at block and district level, i.e., assistant development officers and district technical officers. In reply to the question, "In the present context of community development administration, technical personnel are under dual control, e.g., one from executive side and the other from technical side. Do you feel such a dual control checks your free working and creates a restraint in your work?" 92.50 per cent. of the assistant development officers and all the district technical officers replied in affirmative meaning that dual control is not desirable.

However, when further asked to suggest the types of control desirable on different areas of their responsibility, the following suggestions were made by these officers:

TABLE III

Percentage distribution of response regarding the nature of control desired.

Items	Assistant development officers (40)			District technical officers (22)		
	Dual	Executive	Technical	Dual	Executive	Technical
1. Programme planning.	2.50 (1)	17.50 (7)	80.00 (32)	22.75 (5)	—	77.25 (17)
2. Resources and supply of materials.	— —	12.50 (5)	87.50 (35)	—	27.28 (6)	72.72 (16)
3. General Administrative control of personnel.	—	92.50 (37)	7.50 (3)	—	100.00 (22)	—

N.B. The figure within brackets represents the number of responses.

It is clear from the above table that 80.00 per cent. assistant development officers and 77.25 per cent. district technical officers support the idea that programme planning should be initiated and done by technical personnel both at block and district levels.

As regards the resources and supply of material, 87.50 per cent. assistant development officers and 72.72 per cent. district technical officers support that it should be placed in the hands of technical personnel.

So far as the general administrative control is concerned, 92.50 per cent. assistant development officers and 100.00 per cent. district technical officers have agreed that administrative control of personnel should be in the hands of executive personnel.

Thus, it is clear that where intricacies and technical problems are involved, technical control is better and desirable but in order to co-ordinate the activities of different development departments, administrative control of technical personnel should be under executive personnel.

Personnel management

Whatever be the form of administration, personnel management is of paramount importance. Recruitment and training, the number of personnel, working jurisdiction and work load, quality of staff, professional competence and staff morale, are the aspects which have been studied under this head.

A careful analysis in the above aspects was made with the help of questionnaires, unstructured studies, observations and content analysis. As a result it was found that in general the present system of recruitment and training of personnel for the programme is quite adequate and satisfactory. But in the case of a training programme for village level workers, it was observed that there was more emphasis on class-room instruction than on practical training. The agricultural schools, especially those under private management, are poorly staffed and

have very meagre facilities for imparting practical training. The training programme for assistant development officers and block development officers is satisfactory, but they desired more training in extension techniques and subject matter.

The number of village level workers, as felt by a majority of all categories of respondents except district technical officers, is not adequate for the development work assigned to them. On a question as to which of the technical fields are overloaded with work, agriculture, panchayat and social education were pointed out as the main fields by district technical officers, administrative officers and assistant development officers. The quality of personnel and professional competence are satisfactory but in the case of village level workers, it is not up to the desired degree. Recognition of outstanding workers seems to be made by giving them promotion opportunities.

Planning and execution

As regards planning, all the respondents agreed to the concept of planning from below. But several difficultues in planning with village people at this stage were pointed out by the respondents. Table IV presents this information.

TABLE IV

Distribution of response regarding difficulties experienced in planning with village people.

	V.L.W's (70)		A.D.O's (40)		D.T.O's (22)		A.O's (12)	
	A*	D†	A	D	A	D	A	D
1. Plans if prepared with village people will not be realistic for development work.	—	70	—	40	—	22	—	12
2. Villagers are mentally not developed to formulate their own plan.	12	58	7	33	3	19	—	12
3. Block personnel are not ready to follow the plans prepared with village people.	11	59	4	36	3	19	2	10
4. It is a time consuming process.	54	16	26	14	19	3	7	5
5. People's participation is not forth coming.	61	9	29	11	2	20	9	3
6. Some influential persons try to fulfill their personal interest.	56	14	32	0	19	3	9	3

* A = Agree; † D = Disagreed.

From the above table it is noticed that all the respondents disagreed with the statement that "plans if prepared with village people will not be realistic for development work". This means that a realistic plan must be prepared in collaboration with village people. It is also clear that "villagers are mentally developed to formulate their own plan" and block personnel are also ready to follow the plans so made. But there are some difficulties which tend to retard the planning with village people. These difficulties stated by respondents are that planning with village people is a time-consuming process and people's participation is not forthcoming.

Another important limiting factor is that some influential persons try to fulfil their personal interest. Such persons try to take up work-schemes and other block assistance for earning money and making profit.

Respondents generally agreed that because of divided responsibilities in some programmes, execution is not being done properly at block level. There seems to be irregular and untimely supply of materials, which places the workers sometimes in embarrassing situations. In general, village level workers and assistant development officers felt that lack of co-ordinated approach was the main problem in execution of the plans and programmes.

Budgeting

The budgeting process is closely linked with all phases of programme development and execution. An attempt was made to study the budgeting process under different heads, i.e., budget and size of a community development block, distribution of budget, its utilization and operational control.

It was found that the budget was standardized for all the blocks and it was not in accordance with the size, needs and magnitude of the work of a block. The officials who are immediately responsible for operating the budget at block level (block development officers) supported the view that budget expenditure was not uniformly distributed throughout the year. Much of the money is spent at the fag-end of the financial year.

Distribution of the allotment of funds on different items of expenditure is not realistic. It was also stated by all categories of respondents that budget control should be in the hands of administrative officers in order to co-ordinate the activities of different development departments. Technical personnel, however, pointed out that allotment of funds should be made in consultation with technical personnel in order to ensure proper and even distribution of the budget.

Block development officers emphasized the idea that expenditure of money should not always be taken as a criterion of good performance. Sometimes it so happens that in order to avoid annual surrenders of unspent balances, unnecessary expenditure is made in a hurry.

Direction and supervision

In general, directions are received from higher authorities in the shape of orders and circulars. Supervision is in shape of inspection the value of which would be enhanced if the employee were educated where he was unable to follow his instructions properly.

The present system of flow of orders, circulars and directions seems to need improvement. In reply to a question "Do you think that the present channel of flow of orders, circulars and directions is efficient", 82.85 per cent. village level workers, 95.00 per cent. assistant development officers, 86.37 per cent. district technical officers, 19.56 per cent. of administrative officers replied in

the negative. The reason given for this answer is the slow movement of files in different offices.

The two-way channel of communication also needs thinking about in the light of a feeling among junior officers that their problems are not easily taken up for discussion with the higher authorities.

Co-ordination

Co-ordination in administration deals with synchronizing and unifying the actions of the employees. It is needed at two vital points in the community development programme; one at the top level for policy formulation and the other at execution level. Co-ordination at block level will rest on the integrated approach of different development departments.

When the question "Do you think that inter-departmental co-ordination at block level is lacking" was asked, the following responses were obtained:

TABLE V

Distribution of response regarding lack of inter-departmental co-ordination at block level.

Respondents	Lack of co-ordination			
	Yes		No	
	Frequency	Percentage	Frequency	Percentage
1. Village level workers (70).	52	74.28	18	25.72
2. Assistant development officers (40).	38	95.00	3	5.00
3. District technical officers (22).	17	77.19	5	22.81
4. Administrative officers (12).	9	75.00	3	25.00

The above table shows that there is lack of inter-departmental co-ordination at block levels. This is supported by 74.28 per cent. of village level workers, 95.00 per cent. of assistant development officers, 77.19 per cent. of district technical officers and 75.00 per cent. of administrative officers. The main reason assigned by the respondents for the lack of co-ordination is the fact that each department presses for its own programme. Since the career of a worker depends upon showing the success of his own programme, he ignores a co-ordinated approach.

Reporting and evaluation

Community development is still in a programmatic experimental stage. Therefore, for correct assessment of what has been done and what remains to be done, it is necessary that reporting is quite efficient and reliable.

In the present context reporting is in 'bottom-up' motion. A report originates from a village level worker. He prepares the report with respect to all the activities of his area and submits it to the assistant development officer and/or the progress assistant from where it goes to the block development officer. The block development officer, in his turn, compiles the reports section-wise for the entire block and submits it to the district planning officer on one hand and the district technical officer on the other. The district planning officer after compiling the report of the entire district forwards it to the Assistant Development Commissioner at divisional level, who sends it to the Deputy Development Commissioner of the region concerned, from where it goes to the Development Commissioner at state headquarters.

District technical officers usually submit their reports to their respective divisional technical heads, who in their turn forward it to their heads of departments at state level. The heads of the departments finally send reports regarding their respective departments to the Development Commissioner.

The concept, standard and quality of reports seem to vary from block to block and there is more emphasis on physical achievements.

There seem to be large numbers of reports and returns and village level workers are the most ill-fated persons in this respect. From an analysis it was revealed that every village level worker was required to submit 2½ reports on an average per day. As regards the content and quality of the reports, these are only in terms of physical achievements and there is no mention of change in human behaviour. Further, it was also found that spot checking of 10 to 20 per cent. of the reports was the method employed for evaluating the programme.

Conclusion

In general the concept of a community development programme seems to be clear to all categories of respondents and they have also a real interest for village work. But the workers are not able to perform their job efficiently due to several weaknesses associated with the community development administration. Among these weaknesses are dual control, lack of enough practical training to village level workers, need for advance training in extension methods and techniques for block development officers and assistant development officers and overload of work, as have been emphasized by the respondents. The concept of planning from below is understood by all categories of respondents but several difficulties like the lack of the people's participation, involvement of personal interest of a few persons, etc., are felt in the process of planning a community development programme. Budgeting is generally standardized and the expenditure is not uniformly spread nor is it in proportion with the needs of the block. There also seems to be a lack of co-ordination especially at block level, mainly due to the emphasis by the departments concerned on their own programme. This further leads to the conclusion that a comprehensive picture of the community development programme as a whole and the place of respective departmental programmes as a part of the overall objective, is not clear. The number of re-

ports and returns especially from the village level workers also seems to be too large and needs immediate attention.

The observations show that the present administrative structure of the community development programmes as well as its nature of operation, needs several modifications and changes.

Training for the Administration of Development in Kenya

by Colin Fuller and Robert Chambers

The role of the administrative officer

When one considers that the *per capita* income in Kenya is £29 compared with £450 in the United Kingdom (based on gross domestic product at factor cost), it is easy to see why the administrative officer in Kenya's Regional Administration is very much concerned with the Government's efforts to raise the standard of living of the people. His role, in this respect, is peculiar to the developing countries; he has no counterpart in highly developed countries like the U.S.A. or the United Kingdom where the government machine is so complex and the administrative officer, in the lower to middle grades, tends to specialize in a fairly narrow field. The public administrator in Kenya must, therefore, as soon as he takes up his duty as a civil servant not only possess the basic skills of administration, such as the ability to write letters and reports, a knowledge of the law, familiarity with government regulations, the practice of management, and such like, he must also understand the theory of and possess the tools to practise the administration of development.

It should not need to be stressed that the administrative officer, whether at divisional, district or regional level, is by virtue of his office able to initiate and administer development in his area. Some administrative officers, and many others who are not, regard the function of an administrator as being merely that of a co-ordinator and a supervisor of the day-to-day running of his unit. This routine type of administration demands relatively few skills and little imagination. Because of his role of co-ordinator at the hub of activity in his area the administrative officer should be the person most able to see the overall picture. He should know what needs to be done for the progress of the people and the development of their land and be aware of the possibilities of getting things done. Efficient, dedicated and technically skilled officers there are, such as agriculturists, veterinary officers, foresters and so on, but their efforts may tend to be one-sided and may not only be out of proportion to the requirements of the area as a whole, but they may also, in some cases, be working against what should be the overall plan for the area. The administrative officer should, therefore, not only co-ordinate the efforts of the experts in his area for the general good, he should also use his initiative and ability to organize development and progress and not concern himself solely with the maintenance of the *status quo*. Much has been written about administrators who sit at their desks pushing files around and, in theory, keeping their districts or departments running smoothly, and who thereby slowly but surely work their way up the promotional ladder by dint of never making a mistake for the simple reason that they never make a decision. Admittedly this may sometimes happen, but this is a negative form of administration.

Mr. Colin Fuller is Head of the Department of Public Administration at the Kenya Institute of Administration.

Mr. Robert Chambers, formerly a lecturer at the Kenya Institute of Administration, is now Research Officer with the East African Staff College.

The job of training an administrator would be quite simple and somewhat mundane were he merely to go out as an officer capable of writing memoranda, answering letters, holding *barazas*, collecting tax, holding court, preserving law and order and generally doing the hundred-and-one things which have been the traditional tasks of an administrator. But the work of an administrative officer, in Kenya at any rate, has changed considerably over the past twelve months. The maintenance of law and order, formerly one of the main responsibilities of the administration, has been taken over by the Kenya Police. The responsibility for the collection of tax has been taken over by the county councils. The legal powers of an administrative officer, particularly in the more advanced areas, have been taken over by the judiciary. Now, more than ever before, has the administrator been freed to concentrate on his positive role – *the administration of development.*

The development syllabus of the Kenya Institute of Administration

To provide training for this role of the administrative officer, the six Advanced Public Administration courses held at the Kenya Institute of Administration have included: economic theory, natural resources, planning and statistics, and the development of the country's economy. With the earlier courses these subjects, which were studied mainly in the classroom, were applied practically in end-of-term projects lasting not more than a week. Syndicates, each consisting of three or four course members, went into the field to study such topics as a water reticulation scheme, a district artificial insemination programme, or the financing of local government services. Each syndicate would then return to the Institute and write a report of its findings. It would then, in a plenary session of the whole course, have to account for its approach to whatever subject it had studied and for its conclusions and recommendations. While practical and useful these exercises were in most instances confined to single topics and did not compel the course members concerned to think or to take decisions on the scale that would be required of them later when they would take up posts in the field. Similarly, although it was the practice on the first courses to make a safari which usually lasted nine or ten days to study in a particular district development in the government, local government, and private sectors, this was more an exercise in observation than analysis, or than an attempt to solve the problems of development. Without doubt, such safaris were useful in that attention was focused on the types of problem that were universal in the country, and the course members could see the way in which officers on the spot were tackling these problems. These safaris did not, however, provide practice in thinking out or trying to solve these problems with the facilities and finance which would have been available to the members had they been responsible for the district which they visited.

It was decided, therefore, that the teaching of the administration of development on the later courses could be done more realistically and comprehensively. This meant planning the classroom and field work so that subjects like economics, statistics and natural resources should have a more comprehensive and practical bias. This was done and, together with the introduction of planning problems and case studies based on real problems and case files, the whole study of economics, statistics and natural resources leading up to a District Development Project was made more interesting, thorough and realistic. The end-of-course safari and project exercise were taken out of the programme and, in their place, three weeks were devoted to the District Development Project.

The appendix, which is copied from the syllabus of the Advanced Public Administration courses, shows the main subjects covered under the headings of economics, statistics and natural resources. It is emphasized that although some of the subjects such as basic economic concepts, the characteristics of the economies of emergent countries, the international economy, map reading and Kenya – the land and people, are covered by the staff of the Institute, such an ambitious programme could not be undertaken without the co-operation of practically all the departments in Central Government, whereby experts in government budgetary policy, survey, forestry, agriculture, settlement and the various aspects of veterinary science, come to the Institute to lecture and answer questions. They also make themselves, or their departments, available for visits and studies by the course members themselves who, knowing on which district their development project will be based, are able to obtain information and statistics in much greater detail than would normally be required for a study of Kenya generally.

District development projects

The district development projects, which have now become an accepted part of the Advanced Public Administration course, combine several purposes. The main function is to bring course members face to face with the problems of rural development and, at the same time, provide a stimulus which will force them to discuss, decide on and draw up detailed plans for development. But it is hoped to achieve much else besides. During periods devoted to natural resources, the motivation of course members is increased by the realization that they will shortly have to apply the knowledge they are gaining in a practical exercise. Since most course members come from agricultural areas, it has been possible, through choosing predominantly pastoral districts for the projects, to pit them against development problems among people with an unfamiliar social structure, and at the same time to show them a part of Kenya which they have not previously visited. The problems of administering nomadic peoples, of initiating development among conservative tribes, of vehicle maintenance and foot safari in difficult country, can all be brought home to course members through experience which cannot be simulated in a classroom. The project also provides practical exercises in digging information out of files asking the right questions, assessing and interpreting statistics, thrashing out problems in committee, drafting estimates and report writing. Finally, the sustained nature of the project, starting with two days of preparation, followed by roughly twelve days of safari without a break and four final days of discussions and report writing, makes heavy demands on mental and physical stamina and helps to give course members confidence in their ability to work well and last out even when tired. And it is hoped that the intensive and unfamiliar nature of the experience will help members to associate development with novelty, challenge and excitement.

The choice of district has been determined by considerations of pastoralism, poor communications and relative lack of development, and also by the ability of the administrative and departmental officers in the district to spare the time required. Districts have been chosen where development is difficult and poses physical and social problems: Samburu – where grazing control has been rejected; Turkana – where famine is a recurrent problem among a scattered and very poor people; and West Pokot – where there is good potential for development but where change has frequently been resisted.

The design of the project in all three cases has been to divide course members into syndicates, each charged with preparing a development plan. The individual members of each syndicate were given different responsibilities. Each "Samburu Development Commission" consisted of five members: a chairman and "specialists" in range management; forestry; wild life and tourism; and livestock improvement and marketing. Each "Turkana Development Commission" consisted of a chairman and specialists in agriculture and irrigation; livestock and range management; fisheries; and famine relief. The third project, in 1963, in West Pokot District incorporated modifications based on experience gained in the two earlier safaris and will therefore be described in more detail.

For such a project, West Pokot was ideal. It contains most of the types of country to be found in Kenya lacking only glaciers, lakes, humid plains and sand dunes. In altitude the district varies from over 11,000 ft. to less than 3,000 ft. above sea level and in average rainfall from some 75 inches to about 12 inches a year. The upper areas of forest, glades and moorland are ideal for sheep, tea and pyrethrum. The middle areas are suitable for mixed dairy farming, with coffee and maize. And the lower areas, tailing away into near-desert, are good ranching country but also have considerable irrigation potential from streams which rise in the forests. Furthermore, the people had been conservative and had done relatively little to develop their land. In the upper areas they had been slow to enclose their land and to introduce exotic sheep. In the middle areas, enclosure was not complete and pyrethrum, coffee and dairying were only in an early stage of development. In the lower areas the controlled grazing schemes which had been introduced were still resented in some quarters and an indigenous irrigation system, pronounced by experts to be destructive and wasteful, was jealously guarded against any interference or improvement by the Government. West Pokot was, thus, an ecological microcosm of much of Kenya and it was relatively undeveloped, partly because of poor communications but mainly because of local resistance to change.

Because of the great variety of potential land use and cropping in the different parts of the district, many natural resources lectures were relevant to West Pokot. The brief for the project was, therefore, introduced early on to enable members to obtain from lecturers whatever information might be particularly useful. Since the syndicates of five, set up for the two earlier projects, had led to a greater degree of specialization by individual members than was advisable in an exercise designed for a generalist administrator, the syndicate number for West Pokot was reduced to three. This smaller number had the added advantage of increasing individual participation. The brief was a letter from the "Secretary of the Regional Agricultural Board" instructing the "West Pokot District Agricultural Committee", in accordance with government policy, to draw up a five-year (1964-69) development plan. The district plan was to consist of a report, recommendations and estimates to be submitted by each of the three principal members of the committee – the District Agricultural Officer, the District Livestock Officer and the Regional Government agent. The last, as chairman, was given a co-ordinating role and was responsible for allocating funds to the D.L.O. and D.A.O. He was also responsible for forestry, fisheries, game, tourism, industry and mining and the trade of miraa (a bud which is a stimulant chewed by some Muslims) – all minor matters compared with agriculture and livestock, but all appearing to deserve attention. Estimates were to be submitted at three stated levels of expenditure (two would have been better). Grant and loan proportions, interest rates, and a two-year morator-

ium were specified. Proposals were called for, for servicing the loans from revenue raised in the district. A dead-line, four days after the end of the safari, was set for the receipt of the reports, recommendations and estimates. For the purpose of the project, the procedures current in Kenya were slightly modified, but the degree of realism led some members to believe at first that the Government had really called for these plans, and indeed, some embarrassment was caused when a news broadcast gave the same impression announcing that the Kenya Institute of Administration was drawing up a government development plan for the district!

Before the safari, introductory lectures were given on the District and its people. The course was then taken on a special flight in a Beverley aircraft of the Royal Air Force over much of Kenya. This had much general value, rounding off the natural resources programme and introducing a new perspective in appreciating the problems of development through showing land consolidation and fragmentation, the distribution of cash crops, the contrasts between large estates and small holdings and the ravages of soil erosion, in a way which could never be achieved on the ground. The flight included West Pokot District and from the air it was possible to gain some idea of the areas under irrigation, the extent of cultivation in the remote mountains, the considerable forest areas that might be suitable for tea and the limited extent of enclosure.

Preparation for the safari was largely decentralized to members, though the arrangements for visits had necessarily to be made by staff. Members' responsibilities included the care of vehicles, camping equipment, an imprest, eating and cooking equipment, maps, health, the ordering and issue of food, and so on. At some stage, each course member had some responsibility. For a course of 19, two staff, drivers and two cooks, it was found essential to have a lorry and two long and one short wheel-base Landrovers.

The first five days of the safari were spent investigating development in other districts, similar in climate and potential to West Pokot. Grazing and water reticulation schemes, enclosure programmes, an irrigation scheme, a grassland experimental centre, an artificial insemination project, and dairy and wool co-operatives were examined, farms were visited and government officers and local people questioned. The two districts visited – Baringo and Elgeyo – Marakwet – both showed a higher level of development than West Pokot, and thus could give an immediate and vivid idea of what might be achieved there. These preliminary five days also served to provide practice in asking "the right questions", with the sort of "bite" that would elicit facts and figures for the framing of realistic plans and estimates.

The eight days in West Pokot began with an abrupt introduction to the problems of the district at a *baraza* just inside the boundary. An agricultural officer who tried to persuade the Pokot to buy exotic sheep and grow more profitable crops was unable to make any conspicuous headway. Subsequently, members were able to assess local attitudes through addressing *barazas* themselves and meeting politicians, local government councillors, farmers, missionaries, school teachers and others. In the time available, no very profound insight could be gained into Pokot social structure, though the main features were discernible. Government officers gave talks and answered questions, and access was given to files, reports and estimates, which had to be digested in the short time available. A few facts and figures which members would have found impossible to collate or extract in the time were handed out in duplicated form. Visits were made to forest plantations, trading centres, missions, schools,

grazing schemes, farms, and an area of indigenous irrigation. Maps were used throughout, and they provided practical exercises which rounded off the map-reading instruction given earlier on in the course. Each member drew a rough sketch map of the district to make it easier for him to grasp the shape of the country and the relative sizes of the areas of different potentials.

Time was set aside for the important preliminary discussions of the syndicates, so that ideas could be exchanged, chairmen could set the general lines of investigation, and gaps in information could be identified and steps taken to fill them. At times cross-syndicate groupings of chairmen, agricultural officers or livestock officers spent time separately on special visits or in session with people concerned with their special interests.

Immediately on return to the Kenya Institute of Administration there was a final opportunity for syndicates to consult authorities in ministries and elsewhere in the Nairobi area. In the three and a half days remaining, they then tackled the demanding business of working out development plans, writing reports and preparing estimates. It must be remembered that by now everyone was tired, having been on the move for a fortnight with virtually no break, and this part of the project was recognized as being the most exacting. When the final papers had been handed in the course had a break while the staff analysed and compared their reports and estimates. It was necessary for the staff to specialize on certain aspects while at the same time trying not to lose sight of the overall picture.

After this short break, when course members were well rested a day was devoted to plenary discussions on the project. Innumerable points of interest emerged. For instance, by considering the way members had behaved in the syndicate situation it was possible to see the importance of thorough preparation, comprehensiveness, and yet conciseness in presenting proposals to a committee; to see the extent to which individuals can become wedded to their pet schemes so that they lose sight of the broader picture; and to observe the rivalries that can develop for limited finance. By comparing the different plans it was clear that, if experts always differ, inspired amateurs rarely agree. Syndicates, in considering one another's plans, came to realize how much easier it is to criticize than to create. In examining the statistics given to the course during the safari, the need for scepticism became apparent: there were six different figures for the area of the district, and the figure for loans granted to small farmers had been given twice – once in shillings and once in pounds! Indeed, relating figures to reality was one of the most valuable aspects of the exercise. A syndicate which put up unrealistic estimates would be criticized by another, and errors of orders of magnitude brought to light.

An obvious danger in the project was that as it was only an exercise difficulties of implementation might be ignored. Effective spending of money is not always possible: poor communications, natural disasters, inefficiency, lack of imagination and drive, shortages of staff, difficulties over ordering equipment, and delays over surveys, are only some of the factors which in any country may lead to a failure to meet development targets. And the other side of the coin is the danger of over-optimism on the part of the central planners sitting in their ivory towers. In West Pokot another common factor inhibiting development was crucial. This was the reluctance of the people to change. This raised questions of community development and methods of encouraging change from within the community. It also made realistic planning difficult. The indigenous irrigation could not be improved directly because the elders of the tribe did not

want it; yet several syndicates estimated large sums for irrigation. Again, loans to small farmers were needed to stimulate agricultural production but the ability of farmers to use money productively was limited. These administrative and sociological difficulties of development were brought out by the officers met during the safari, by the Pokot themselves, and by the final discussions on the project.

Finally, the project was concerned with good judgement. In defending their plans syndicates were tempted to plead, with some justification, that the time they had been given was too short for them to find out all the facts and that many of the facts needed were not known anyway. However, much good administration consists of being right though ignorant. Too much haste leading to impetuous decisions can be fatal in development but, equally, indefinite delay on the grounds that not all the facts are available amounts to a decision not to develop. The project provided an opportunity for finding out many of the relevant facts, assessing expert advice and weighing alternative plans and then forced members to make decisions within a time limit, all in relation to a real situation. For those members who were later to serve in ministries in Nairobi it gave some understanding of the importance when making decisions of appreciating what goes on at the grass roots; and to those who were to serve in the field it gave some insight into the way in which an administrative officer must see the problems of an area as a whole. Finally, it was intended to show to all the challenge and excitement of tackling the problems of rural development.

Conclusion

The members of the Advanced Public Administration courses who took part in this programme were to assume positions of responsibility, both in the Central Government and in the Regions of Kenya. With only six months for the course it was necessary to be highly selective about what was included. While a broad perspective was desirable as a backcloth the bulk of the teaching and exercises was deliberately geared to the realities of Kenya. This was particularly so in the economics, statistics, planning and natural resources programme. This contrasts with the old Devonshire "A" course which expatriate administrative officers used to attend for one academic year in the United Kingdom before taking up their posts in H.M.O.C.S.[1] While many officers have commented on the value of the law and languages teaching in these courses, it must have been impossible to avoid an academic slant in the presentation of subjects related to economic development. The courses had the additional disadvantage that those attending them usually had no previous experience either of administration or of the country to which they were to be sent. By running courses for officers who already have experience on which to draw the new training institutes of Africa have a great advantage. By using lectures by local experts and practical exercises on the ground they can gear their effort more closely to the countries' needs. By means such as those outlined in this article training for the administration of development can be concentrated on the concrete problems of improving the daily lives of the ordinary peasants and herdsmen who are still the great majority of the people of Africa.

[1] These observations do not apply to the Devonshire "B" Course which has been adapted imaginatively to the needs of the administrative officers of developing countries.

EXTRACT FROM THE SYLLABUS OF ADVANCED PUBLIC ADMINISTRATION COURSES

Economics

(Those subjects covered by Ministries and Departments are marked with an asterisk.)

Basic Economic Concepts – 6 hours

The nature of economics; factors of production; scarcity substitutions; diminishing returns; economies of scale; specialization; market supply, demand, price and value; money.

Characteristics of the Economies of Emergent Countries – 6 hours

The transition from a subsistence to an exchange economy; economic growth; relative development per capita income; health and education; capital formation; technology; economic planning; economic systems – Capitalism, Socialism, Communism.

The International Economy – 6 hours

Comparative advantage; free and restricted trade; sterling value and dollar areas; foreign exchange; foreign aid; agencies of international co-operation.

The Economy of Kenya – 6 hours

Kenya's national income – its production and distribution; the nature and problems of agricultural production; under-employment; industrialisation; special problems of primary producers.

Kenya Budgetary Policy – 6 hours

The economic survey; the Treasury*; the Exchequer and Audit System*; Revenue and Development Budgets*; problems and opportunities for economic development.

Economic Aspects of Land Development – 14 hours

Land tenure, general; land consolidation: objects, methods, control of land transactions; legislation; a visit to a land office; appraisal; land administration in urban areas: townships, planning authorities; law and procedure. (6 hours.)

Financing rural development; priorities, land values, capital and credit. (2 hours.)

Administration of rural credit: principles and practice. (2 hours.)

Co-operation: origins and principles of co-operative institutions; agricultural co-operation in Kenya; its history and its present position; the Kenya law on co-operative development in districts. (4 hours.)

Planning and Statistics

Statistics – 10 hours

Their use, misuse, and interpretation; collecting and arranging data; reading statistical tables; use of charts and graphs; statistics in development planning.

Planning Problems – 14 hours

The principles and drill of effective planning; practical exercises requiring efficient use of personnel, transport, money, time and other factors, followed by critical analyses.

Estimation Exercises – 10 hours

The principles and practice of budgeting; layout of estimates; exercises in drafting estimates for a variety of projects and situations.

Natural Resources

(Those subjects covered by Ministries and Departments are marked with an asterisk).

Introduction – 1 hour

The importance to an administrative officer of a sound working background to Kenya's natural resources, their use and potential.

Maps and Survey – 16 hours

General: introduction to maps; latitude and longitude, projection survey and map production; use of maps for safari and as a basic tool of planning; surveyors – their need and their value; the geographical background; functions of the Survey Department in relation to development*; maps from photographs*; cartography and printing*.

Visit to Survey Field Headquarters*.

Types of maps – examples; map reading: scale, position, grids, map references; interpretation; use of air photos and maps; use of compass.

Kenya: The Land and People – 5 hours

Basic facts and needs; land, regions, climate and rainfall, ecology; people: population growth and distribution*, controlled land use.

Forestry – 6 hours

Value of the forest estate*; objects of management*; policy*; organization and work of the Forest Department*; forest products and potential*.

Wild Life and Tourism – 4 hours

Kenya's heritage of wild life*; scientific, economic and recreational values*; national parks*; the value of tourism in the economy*.

Agriculture – 11 hours

Position in the economy*; policy objectives*; organization and work of the Agriculture Department*; research, education and extension work*; introduction to crop ecology and farming systems*; cash crops*. The coffee, tea, pyrethrum and sisal industries*.

Animal Husbandry – 21 hours

General review*; pastoral areas*; livestock in mixed farming*; function and work of Veterinary Services*. Animal diseases – the threats and control*; animal husbandry and livestock improvement*; artificial insemination*; tsetse control and range management*; the meat industry*; visit to Kenya Meat Commission*; African Livestock Marketing Organization*; hides and skins*; dairy and pig industries*; visit to Veterinary Laboratories*.

Settlement – 6 hours

Background to settlement schemes*; high density, low density, co-operative ranching etc.*; the roles of the separate ministries in settlement schemes*.

The Development of Local Government in Eastern Nigeria

by E. E. Akpan

Background

Eastern Nigeria, which has an area of 29,449 sq. miles, is the home of nearly 12½ million people living in some 500 ethnic groups called clans which belong to one of some 10 major linguistic groups called tribes. A few of these tribes are: Ibo, Ibibio, Ijaw, Ekoi, Ukelle, Yalla, Mbembe and Ekuri-Akunakuna. Each clan consists of a number of local communities which live in villages in separate independent territory. These indigenous political units are comparatively small. In types of government they are democratic and uncentralized, power resting in the hands of the people themselves organized into a limited number of politically equivalent segments, each of which possesses a traditional head. The general will of the community is expressed at periodic mass meetings open to all its adults. The body which organizes the meeting, conducts its business and makes the decisions is a smaller or inner council referred to as "the Elders". It is composed of the traditional heads and natural leaders from each of the component segments and is under the presidency of a chief who is in most areas the traditional head of the senior ranking segment. This traditional political system still survives to a large extent in most areas and forms the basis of the present statutory local government in Eastern Nigeria.

In the traditional government, there is no authority beyond the tribal organization. The sub-units – clans – had no defined limits of power for their councils. Each authority did such acts as it was capable of doing within its political power. This varied from declaring war against a neighbouring territory to mobilizing communal labour for the clearing of paths in its area. The effective powers of a particular clan also fluctuated greatly from time to time depending upon the capabilities of its leaders.

When the British came to Eastern Nigeria, they tried to control and co-ordinate the powers of these authorities. As the Colonial Administration gradually brought Eastern Nigeria under control, it was faced with the problem of providing a more centralized administration in place of these "tribal units" and "clan-states" where each local community was a sovereign authority and law unto itself. It did so by creating in each clan area a native court and by using these "native courts" as all-purpose local government machines. Each local community put forward a "Chief" who was recognized by the Central Government and given a hat and a staff and a warrant to sit and try cases in the native court. These warrant chiefs were expected to carry out the administrative orders of the Government in their areas of authority, such orders being sent to them normally through the clerk of the native court. This system of "Direct Rule", functioned reasonably well where each local community had its own warrant chief, but there were areas, particularly of the Ibibio tribe and in the Owerri and Umuahia Provinces of the Ibo tribe, where local conditions did not permit this and where the system gave cause for considerable misgivings. The sudden introduction of taxation in 1928 at a period when the

Mr. E. E. Akpan is an administrative officer in Eastern Nigeria and was at one time in the Ministry of Local Government.

world vegetable oil markets were changing from boom to slump conditions produced a revolt – "the women's riot" – in the areas most hit by this fall in prices. These were also the areas in which the warrant chief system had become most unpopular. The commission of inquiry which followed concentrated mainly upon the political and less on the economic causes of these riots, and it confirmed the Colonial Government in its conviction that the "warrant chief" system should be replaced by a form of government *based on the indigenous political systems* of the Region and on the wishes of the people themselves.

Following this conviction, an intensive survey of the political organization of the Region was made by administrative officers and, following the approval of their re-organization reports, native administrations were established in 1932 in each administrative division based on the traditional forms of government in so far as these could be adapted to suit existing conditions. This system is sometimes referred to as "Indirect Rule". Despite this exhaustive native administration reorganization, there was little alteration of the divisional and native court boundaries originally established under the native court system; and these followed the traditional ethnic groupings. But in place of the warrant chiefs, a number of chiefs and elders were *appointed* by the Government to form the native authority council of the area. Each council had a clerk and a treasurer who carried out the executive functions of the council. Native authorities had only those powers and did such acts as were given to them by the Native Authority Ordinance. It is true that the powers conferred on native authorities by that Ordinance were very wide – in many cases. Native authorities were allowed to discharge the functions conferred on them by that ordinance or other written laws, and generally to maintain order and good government within their areas. In addition to these they were generally allowed to discharge and enforce such native laws and customs as existed in their areas – provided that such laws and customs were not repugnant to natural justice or involve torture. The powers of control rested with the district commissioners and district officers of the Central Government who exercised both political and executive powers.

In practice the full exercise of these powers by the native authorities was limited by technical and financial incompetency of these authorities. The majority of the members of the council were illiterate or had little education. The staff too were untrained in their profession, and the capable hands existing at that time were not attracted into that service because the conditions of service were less rewarding than those of other services. Sufficient money was not available to undertake any service on modern lines. The all-powerful district officers were there too and they would not allow the native authorities to embark on any project unless a clear and undoubted chance of success was assured. All these militated against the native authorities and many of them found it difficult to provide the increased services which the people demanded. This default was particularly noticeable in the years after the World War II. Above all, in the 1940s, a strong wind of nationalism was blowing over Eastern Nigeria and called for reforms in our political organization and government. In consequence, it was hoped that the introduction of a popularly elected local government would alleviate most of these difficulties. The elected members would easily adapt themselves to suit the needs of their particular area, and better qualified people would stand for election into these councils. Administrative officers were again asked to conduct re-organization surveys of their

areas in preparation for the introduction of a statutory local government system to be established in 1950. These surveys were to be based on the indigenous political system, the wishes of the people and the need for financial stability.

Factors in the establishment of statutory local authorities

In the establishment of the local government system, the conditions were that

(i) they should be based on the indigenous political system and the wishes of the people to achieve stability;
(ii) the councils should be democratic and popular;
(iii) they should be efficient and financially viable; and
(iv) they should promote the fulfilment of the rights and the duties of the citizen, and the welfare of the particular community to which the citizens belong within the framework of the state.

Several problems were encountered in the attempt to meet these conditions.

Form of legislation and extent of legal powers

In 1950 a single comprehensive enabling ordinance – the Eastern Nigeria Local Government Law 1950 – was passed by the central legislature. In it a large number of functions which the legislature considered within the scope of local government were listed. This law set out certain general directions for the constitution of all types of councils and prescribed general powers and duties, but left it to the central government to establish individual councils by a separate instrument. This instrument did not make any new law but merely selected from the ordinance the constitution, powers and functions which were appropriate to the needs and capacity of the area concerned. Further functions could be added to the instrument of an individual council as it became necessary in the area and the council became competent to exercise them. This form of legislation is particularly useful because our local government bodies are in constant flux of development.

Local authorities exercise only those powers that have been conferred on them by this law, or by any other written law; and the ultimate powers of control of these local authorities rest with the Minister of Local Government who exercises his powers only after consultation with the people of the area concerned and with the approval of the Regional Government. Since our local government system was in its early stages, it became necessary to confer most of the powers in a positive manner; vital functions were made mandatory and others permissive on the councils. Councils were given only such powers as were necessary to perform their functions well and which they could themselves wield.

Distribution of power

A number of matters that affect local government are common to all kinds of local authority. Thus all authorities need powers to appoint committees; to maintain order and good government in their area; to keep accounts; to sue and be sued and so on. There is also a common set of provisions about the qualification, disqualification and loss of qualification for membership. There is a common term of office. In all these things the empowering legislation makes provision without distinction. But differences appear in the grant of powers relating to services which local authorities may or must provide. The question

then is not just "what can be done?" but also "who can attempt it and who needs it".

The various services are not therefore allocated by the Law. They are set out in a list, under some ninety-six numbered headings. The Regional Government reviews an area, holding local inquiries, and by *Instrument* determines which powers a particular council (municipal, urban county, county or local) should exercise. The following main principles are used as guiding factors in the allocation of the functions:–

(*a*) the wishes of the people in the area to have the service;
(*b*) the desirability of the service for that community;
(*c*) the complexity and spread over of the service;
(*d*) the executive capacity or claim of the local authority to attempt or perform that service; and
(*e*) the financial resources available or likely to be available for the performance of the service.

The Instrument can be relatively brief because it refers to the powers by their numbers as listed out in the Law.

In the townships where there are municipal or urban county councils, there is no tier system and the all purpose authority does any local government function in the area. In the rural areas where there is a tier system the powers are divided.

The broad principle for the divisions is that the major authority runs the services that call for the biggest spread over in territory and resources; whilst the lesser and minor authorities have the functions suitable for their size and resources and which are of local interest. Local councils are therefore permitted by law to carry out relatively few functions, and in practice they do a lot less than they are legally allowed because they do not employ staff. They can raise very little revenue and in general they cover a small area. They were established mainly to bring local government close to the people. Before the introduction of universal adult suffrage they were used as electoral colleges for elections to their county council. The services usually allocated to them are: the control of domestic animals, providing for the layout of buildings, maintaining social centres, opening and maintaining local markets, maintenance of dispensaries and maternity homes, maintenance of roads and streets, and the managing of recreation grounds and parks.

The municipal, urban county and county councils all employ staff and raise revenue. They maintain maternity homes, health centres, dispensaries, conservancy services, elementary and secondary schools, teacher training colleges and customary courts. They maintain roads and bridges, control markets and maintain pounds. They are usually permitted to perform all the functions listed out in the Law. The important services to a particular area are made *mandatory* on the councils by the *instrument* that establishes that council while the less important or less vital services are made *permissive* on the council. Allocations of functions are subject to review. Permissive powers may be made mandatory if there is justification for that.

Control of powers

Local authorities cannot be really independent, for that would make them states and take them outside the field of local government. The problem thus arose how their powers could be controlled without making them mere in-

struments of the central government. The introduction of the Local Government Law 1950 led to a new doctrine on the control of powers of local authorities. This is that local authorities exercise only those powers that have been conferred on them by the Law, or by any other written law; and the ultimate powers of control, of these Authorities rest with the Minister of Local Government who exercises his powers often after consultation with the people of the area concerned and with the approval of the Regional Government.

There are three main forms of control, namely:–

(i) Legislative;
(ii) Judicial; and
(iii) Administrative.

The Regional Government can ask the Legislature to amend, delete or add to any section or sections of the Local Government Law. The Law itself can be repealed. By this method the power of local authorities can be controlled. Classical examples of this are the amendments to the Local Government Law, 1950, and the final replacement of it by the laws of 1955 and 1960.

The judicial controls are mainly on the issue of *vires*, points of legality, injunctions and ordinary appeal to the Courts. An aggrieved person can bring up in a law court the issue of the *vires* of the acts of a local authority. The court will then decide whether the local authority had powers to exercise that function. Sometimes the issue may be that of legality of the act. All councils can sue and be sued and these facts act as a deterrent against abuse of power. The Law also provides avenues of appeal to the law courts against certain decisions of the council. Some of these are through election petitions, against taxation or inadequate compensation for land.

The controls which are the commonest and the most well-known are the administrative controls by the Minister. These may be through the preparation, amendment and revocation of instruments of councils; allocation of functions; approval of byelaws; approval of estimates; power to make regulations; approval of appointments, promotions and termination of appointments of staff.

The last but not the least effective method of control is through the public themselves. This may be through appeal to the courts, or by letter of complaint to the Minister or the press, or by their votes during election time. All these act as deterrents against arbitrary use of power by councils. It is true that some councils have resented these controls and have asked for a freer hand in their affairs. The declared policy for control is not to restrict freedom but to call a halt to liberty misused; and to maintain the rights, liberty and equality of the citizens.

External structure

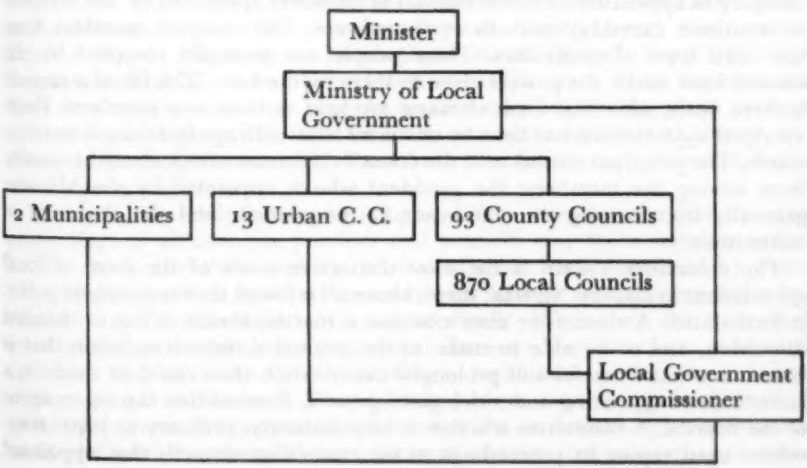
The establishment of a local authority is of a necessity a process quite unlike the formation of a trading or similar kind of corporation for the simple reason that a local authority is a territorial unit. It must have geographical boundaries. The policy adopted was to let the people determine the form best suited to their own areas; ethnic and linguistic affinities together with geography were the determining factors. On the other hand, the need for financial viability was not disregarded, for it was considered undesirable to set up small financially weak units which would never be able to develop social services without placing undue burden on the people of the area. Naturally most of the local government

bodies which resulted from the administrative officers' reorganization reports, followed the already tried and tested native authorities areas and the traditional units. For practical purposes then, the statutory local government areas coincided in most places with the boundaries of the traditional ethnic groupings. The advantage of this was that the traditional local allegiance helped to maintain a stable structure.

Variations from the traditional units were necessary mainly to obtain an economic unit large enough to provide for the required social services; in such cases the new local authority area contained *integral* numbers of these traditional units.

The three-tier system of local government structure was used in 1950. The *county* in many cases coincided with the areas of administrative divisions. The *district council* areas, in most cases too, coincided with the old native authorities' areas. The *local council* areas coincided with clans, sub-clans, or large villages areas of the traditional structure. The pattern was by no means uniform throughout the Region, because there were in fact four types of councils: local councils, district councils (which were either rural or urban), municipal councils, and county councils. The basic three-tier structure was varied mostly to suit the needs of the urban areas in which there were no local councils; but there were also a few areas such as Orlu and Awgu where it was found convenient to give the district council "county powers" and to have no county council.

Many of these county councils were so large in area that they were too remote from the people thereby defeating one of the fundamental purposes of local government. They ceased to be local. They also added considerably to the overhead cost of local government. Finally friction arose between county and district councils over precepts. Counties with no responsibilities for the collection of rates precepted on the district councils which were rating authorities and in many cases compelled them to levy very high rates which were difficult to collect. There was then a struggle for power and moves for secession from the county councils. On the 1st of April, 1958, the seventeen county councils which had been created were abolished. Following the abolition there remained in rural areas a two-tier system and in the urban and municipal



areas a single all-purpose council. On the 1st of July 1960 when a new law – the Eastern Nigeria Local Government Law 1960 – came into force, all the former rural district and urban district councils were re-designated *county* and *urban county* councils respectively. There are now operating in Eastern Nigeria, 2 municipal councils, 14 urban county councils, 93 county councils and about 870 local councils which are distributed unequally into the 29 administrative divisions of the Region. At the head of each division is the Local Government Commissioner who is an officer of the Regional Government and serves as the eyes and ears of the Minister of Local Government and holds his delegated powers to act on certain matters. Below the local councils are the village councils and the family unions which are vestiges of the traditional authorities. These are represented diagramatically as shown on page 123.

Internal organization and management

A local authority consists of three main divisions, namely:–

(i) the deliberative body;
(ii) the executive body; and
(iii) the judiciary.

The deliberative body is the council itself and it is made up of three types of members – the elected, the appointed and the co-opted. There may be any two or all of the three types of the members in a council. The number of members varies according to population and other factors, but most councils contain between 22-38 members. The elected or ordinary members are directly elected by the local electors from their wards. These wards are generally geographical units but in very few and special cases they may be group interests – as the "strangers' ward" in Bori Local Council in Ogoni Division. The appointed members are of three main categories. All heads of clans are appointed *ex-officio* members of the local authorities of their areas. The heads of villages or village-groups are sometimes appointed into these local authorities as well. These two categories form the traditional members of councils. The number of traditional members is 20 per cent. of the total membership in the council. The third category of appointed members consists of members appointed by the Minister to constitute caretaker councils or committees. The co-opted members form the third type of councillors. These people are generally co-opted by the council itself under the powers given to them by the Law. The life of a council is three years, after that fresh elections are held to elect new members. From 1st April 1958 election has been by universal adult suffrage from single member wards. The principal officers are: the council chairman who is elected annually from among the members; the president who is appointed by the Minister generally from among the clan-heads in the council; and the chairmen of committees.

The committee system is the most distinctive mark of the form of local government in Eastern Nigeria; there, above all is found the centre where policy is formulated. A committee may examine a matter, thrash it out in detailed discussion, and so be able to make to the council a recommendation that is based on a more careful and prolonged examination than could be made in a council meeting. Acting under delegated powers, a committee can be an agent of the council. A committee whether it be a statutory, ordinary or joint committee must report its proceedings to the council or councils that appointed

that committee. Councils therefore have their own characteristic pattern depending upon the number of committees that each has.

The staff form the executive arm of the local authority. They are responsible for the day-to-day administration of each of the council's main services, and work closely with the service committees which answer to the council for the efficient working of the service with which they are concerned. The administrative problem inherent in this system is that of co-ordination between the services. This function is exercised by the officer who acts as clerk or secretary to the council. He is the chief executive officer of the council and he is generally given an enhanced status and salary to enable him perform this function effectively.

The customary court staff – registrars, bailiffs, and messengers – are, for the purposes of administrative control, under the council. But the judges or sitting members are for their professional conduct under the control of the Regional Minister responsible for customary courts. This arrangement enhances the independence of the customary court which is fundamental to the maintenance of rights, equality and liberty.

The chairman is the connecting link between the departmental officers and the committee or the council, seeing that each understands the other. He is also a link between members of the committee or the council. Friction does sometimes arise between the members and the officials. Often it is the fault of the member. While disputes of this kind can and do lead to serious difficulties there are no general solutions. Often-times these difficulties solve themselves in the course of time when "council-staff" relationships are fully understood by both parties.

Local authorities require methods of procedure (or *modus operandi*) in the efficient exercise of their powers. Sections 88 and 89, 129-132 and 186-191 of the present Law provide for methods of procedure for the exercise of general functions, levying of rates and acquisition of land by councils. The Law empowers the Minister to make regulations for the efficient exercise of certain powers of councils. Some of these regulations made by the Minister under this are:–Local Government (Elections) Regulations, Local Government Staff Regulations, Local Government Financial Memoranda, Collection of Rates Regulations, Local Government Councils Chairman's and Councillors' Maximum Allowance and Out-of-pocket Expense Order, Local Government Tenders Board Regulations, Local Government (School Teachers) Staff Regulations, and Ministry of Local Government Circulars. These are amended from time to time; and they provide detailed methods and standard practice to be followed by councils, and facilitate control on abuses and create confidence in the people concerned because both sides know exactly what the duties of each party are.

The Law, in addition to providing standing rules for the business and proceedings of all councils, provides that councils may make standing orders for the conduct of their meetings or that of committees appointed by them. These standing orders must not contradict the Law or the Standing Rules but should carry these forward to matters of details. When they are made they must be sent to the Minister for approval. But once they have been made and approved they have the force of subsidiary legislation binding the members of that council and its staff. They include such matters as: place of meeting, ordinary and extraordinary meetings, summons to councillors, order of business, notices of motion, rules of debate, form of minutes, rescission of resolutions,

appointment of committees, procedure of committees, control of expenditure, contracts, documents of council, and variation of rules.

Economic viability

Our society is a functional one and the success of a local authority is often measured in terms of its ability to provide services to the public. These services cost money. In recognition of this the Law confers on local authorities powers to raise revenue. The main sources of the revenue are:–

(i) the Regional Government Block grant;
(ii) Local tax or rates;
(iii) fines, charges and fees on licences;
(iv) money from public utility services and trading operations;
(v) loans for development projects; and
(vi) miscellaneous, e.g. gifts from philanthropists, royalties.

Local councils do not directly raise funds; they may precept on their county councils for funds for specific services.

The Law also imposes the duty on councils to charge the cost of their services against their revenue in accordance with the approved estimates. The most important sources of expenditure of local authorities are:–

Details of expenditure	*Average percentage of total revenue*
Administration	18.0
Works	38.0
Education	21.0
Medical and Health	12.5
Courts	7.0
Markets	2.6
Postal Services	0.16
Agriculture (including Forestry and Vet.) ...	0.50
Industry	0.03
Survey	0.18
Miscellaneous	0.03

The amount of expenditure has been increasing from year to year, but the proportion on the various items tends to follow the pattern above.

For many years to come Eastern Nigeria like most other developing communities is likely to have insufficient funds to meet her expanding needs. These complex and sometimes competing needs of the community require careful planning for successful operation. The Law therefore imposes a duty on all councils other than a local council to prepare and submit detailed annual budgets to the Minister of Local Government for approval. This is to enable these councils to benefit from the economic advantages of having estimates, and also to enable the Minister to keep a watching brief on these councils. These estimates must be submitted to the Minister not later than the 31st day of December of the year preceding the year of the budget. The Minister requires, by circular, that all councils' annual estimates should comply with three major fiscal policy directives:–

(i) a working balance of at least 25 per cent. of its estimated revenue;
(ii) a budget surplus of at least 5 per cent. of its estimated net revenue; and

(iii) current revenue should not normally be made to bear the cost of capital works in excess of 10 per cent. of the total expenditure of the council in any one year, unless the working balance is over 25 per cent. of ordinary revenue.

Provided these limits are maintained each local authority may pursue its own fiscal policy. In the territorial delimitation of the local authority areas, contiguous and related traditional units were combined to produce economic units. These units must be large enough to make a service economic but not too large to make it unwieldy or inconvenient to the people. With all these most local authorities have achieved financial stability and have been undertaking large capital developments.

African Conference on Local Courts and Customary Law

by EUGENE COTRAN

THIS Conference[1] was held in Dar es Salaam, Tanganyika, between the 8th and 18th September, 1963, under the Chairmanship of the late Sheikh Amri Abedi, the then Minister of Justice of Tanganyika. In a way the Conference was a sequel, as regards local courts, to the Judicial Advisers' Conferences held in 1953 at Makerere College, Uganda and in 1956 at Jos, Nigeria,[2] and as regards customary law, to the Conference on the Future of Law in Africa held in December 1959-January 1960 in London.[3] The Dar es Salaam Conference, however, differed from the previous ones in one important aspect: whereas the delegates of the earlier Conferences were principally *expatriate* judicial and administrative officers, the delegates of the Dar es Salaam Conference – from Ethiopia, Ghana, Ivory Coast, Nigeria, Northern Rhodesia (now Zambia), Nyasaland (now Malawi), Sierra Leone, the Sudan, Uganda, Kenya, Zanzibar and Tanganyika (now Tanzania) – were principally *African* judicial and legal officers. Although it is made clear in the Record that while the delegates were designated by their respective Governments, their views did not necessarily reflect the views or policies of these Governments, the fact that the delegates were African judicial or legal officers clearly makes the views expressed at this Conference more representative of African opinion than did its predecessor conferences. The Conference was also attended by observers from Britain, Canada, China, France, India, Israel, Netherlands, Poland, Tanganyika, U.S.S.R., United Nations, and U.S.A.

The Conference, after a short plenary session, divided into three working committees: the first committee considered:–

1. The ultimate objective: local courts, and
2. Control of the local courts and appeal system; the second committee considered:–
3. The ultimate objective: customary law, and
4. Jurisdiction of local courts – subject matter and persons; and the third committee considered:–
5. Legal representation in local courts, and
6. Selection and training of local court judges and staff.

Each committee prepared a final report of its discussions. These were submitted to the Conference in plenary session and adopted with certain modifications and additions, as the final report of the Conference.

Mr. Eugene Cotran is a Lecturer in African Law at the School of African and Oriental Studies, London University.

[1] The record of the proceedings of this Conference is published as *African Conference on Local Courts and Customary Law*. The Conference was held in Dar es Salaam under the Chairmanship of the Minister of Justice of Tanganyika, the Hon. Sheikh Amri Abedi. *H. Studer S.A., Geneve, Suisse*. Price 7s. 6d. or $1. It is in English or French language editions. Additional copies obtainable from the Dean, Faculty of Law, University College, P.O. Box 9184, Dar es Salaam, Tanganyika.

[2] The records of these Conferences were published as Special Supplements to the Journal of African Administration in October 1953 and April 1957.

[3] The record of this Conference is published as *The Future of Law in Africa*, edited by A. N. Allott, Butterworths, London, 1960.

The report of the Conference is divided into five parts:–

Part I. Local courts.

Part II. Customary law.

Part III. Jurisdiction of local courts.

Part IV. Legal representation.

Part V. Selection and training of local court judges and staff. There are also five appendices:–

Appendix A – containing the names of the Conference officials, delegates and observers;

Appendix B – containing the agenda;

Appendix C – containing background papers submitted by the various African Governments invited;

Appendix D – containing provisions for the application of customary law reproduced from the Tanganyika Magistrates Courts Act and the Ghana Courts Act; and

Appendix E – containing a select bibliography.

It became quite clear during the Conference that there were so many divergent views on certain of the topics discussed, that it was impossible for the Conference to reach unanimous agreement and make recommendations. In many cases, therefore, it is quite clear that the delegates simply agreed to differ:–

e.g. (*a*) "The Conference agreed that the integration of the local courts should be achieved by such means as are deemed proper and desirable by the authorities of each state."[4]

(*b*) "Reflecting the different approaches to the customary law represented at the Conference there was a basic conflict of views as to the responsibility for the development of customary law."[5]

(*c*) "There was a difference of opinion as to whether a knowledge of Islamic law ought to be required before appointment [as Local Court Judges] in those countries where adherence to the Islamic faith resided."[6]

However, on many other matters, the Conference made some valuable specific suggestions, which may be summarised as follows.

Local courts: ultimate objective

The ultimate objective was for the local courts to become an integral part of an independent judiciary of the state.

Informal arbitral proceedings should be encouraged to continue alongside an integrated court system, but the fact that parties had submitted to such proceedings should not deprive them of their right to resort to the courts.

It was desirable that all courts should be independent of the control of the executive; control of local courts should be vested in the judiciary, an independent department of state.

The law should provide that appeals may be made from judgments of the local courts to intermediate and higher courts in the regular hierarchy of the courts of the state and that there should be a right of appeal from any judgment of a court of first instance.

---

[4] Ibid. p. 16.

[5] Ibid. p. 32.

[6] Ibid. p. 46.

Subject to the exercise of any existing right of appeal, the proceedings of local courts should be made available to superior courts for inspection and review.

Special inspectorates may or may not be necessary according to the particular circumstances of a country as an interim measure, but inspectors as such should not be given any power of revision or review, but should call to the attention of the superior courts any error or irregularity in the local courts.

Customary law: ultimate objective

There was no question of the disappearance of customary law in the foreseeable future as a significant part of African legal systems.

It was only in the spheres of the law of family, of succession and of land tenure that the customary law could survive as a separate system.

Every country should have a written penal law, and the present position in some countries whereby unwritten criminal offences existed side by side with a written penal code must be altered.

The Conference strongly recommended that a general regulatory enactment in regard to specific aspects of marriage should be passed in each country. This legislation should:–

(*a*) Unify, so far as possible, the procedural requirements for different forms of marriage and state minimum requirements (e.g. in regard to age, consents, registration) for all marriages.

(*b*) Ensure that the different types of marriages enjoy social and legal parity of status.

(*c*) Eliminate, so far as possible, the variable consequences at present attaching to different kinds of marriages (e.g., in regard to the evidence of wives married by different forms), more particularly in regard to those who are not themselves parties to the marriage (e.g., children of the marriage). It is recognized that some of the essential features of different kinds of marriage (e.g., monogamy or polygamy) are at present incapable of being integrated into a single system, but other aspects, e.g., maintenance of the wife and children, matrimonial property rights, may be capable of being unified.

(*d*) Bring the law of marriage more closely into line with the people's requirements. Certain parts of the existing statute law (e.g., concerning bigamy) are presently rarely enforced. The law, once it has been revised, should be more strictly enforced but arrangements should be made (e.g., at the marriage ceremony or during registration) to ensure that the parties clearly understand the legal consequences attaching to a particular form of marriage they have chosen.

As a minimum objective all divorces should be registered.

It was generally felt that the unification of statute and personal laws relating to succession was premature, in view of the diversities between existing systems of customary and religious laws, but that there was scope for an outline law. This law would prescribe the choice of law in succession cases, regulate and as far as possible unify the procedures for administration of estates, create a general power of testamentary disposition (where this was desired) available to African and non-African alike, and incorporate family protection provisions (such as are found in many national laws outside Africa) limiting the amount of property which could be disposed of by will and ensuring that those who were dependent on the deceased during his lifetime are adequately provided

for, notwithstanding any will or change of personal law which may have been made by the deceased.

There was no one way of achieving the necessary development of land law. Social as well as economic factors were important in choosing which land tenure system to adopt. The unification of the customary and general laws relating to land was not an essential prerequisite for such development, though it might be advisable to promote integration, or at least harmonization, so as to eliminate conflicts. The unified or harmonized land law need not necessarily imply the supersession of customary law in this field.

In any unified law of contract, consideration might be given to the incorporation of some of the features of the customary laws of contract. In any event special and simple forms of contract under customary law (e.g., contract of marriage, loan, service, etc.) were likely to be retained in the foreseeable future, and the principle should prevail, wherever possible, that the court should enforce the system chosen by the parties as the proper law of their contract.

A code of civil wrongs, replacing the present general law and comprising the best features of the existing general and local laws of torts, might be introduced. There is no reason why this should be a slavish imitation, for example of the present English law, which has a number of illogicalities and anachronisms.

The Conference, while noting the difficulties and problems which existed in each state, concluded that complete integration of customary law with other law to form one body of law was desirable as an ultimate objective.

It was generally agreed that the jurisdiction of a High Court in civil matters should extend to cases governed by customary law.

The recording of customary law should be encouraged and should be carried out in co-operation with the government concerned.

The Conference commended the use of one or more methods of modifying customary law, and in view of the modern economic and social developments of African communities deemed that they were essential for the growth of customary law.

The Conference would like to see a more systematic method of law reporting of local court decisions and an effective system of circulation of important reports both territorially and inter-territorially.

Jurisdiction of local courts

The Conference noted the trend away from race as a test for jurisdiction over persons in local courts and commended this as an ultimate objective.

The Conference believed that the best method to deal with the problem of internal conflict of laws was to lay down detailed statutory rules to decide the choice of law. The rules for the applicability of customary law contained in the Tanganyika Magistrates Courts Act (Appendix D of record) were commended.

Legal representation

Where courts were staffed by people not legally qualified, it would be undesirable to permit lawyers to appear.

If it was considered that lawyers ought to be allowed to appear before local courts, the authority charged with responsibility for these courts should be vested with a discretionary power to decide in what cases lawyers should appear. The factors to be considered being the nature and gravity of the offence (if criminal), the sentence attached thereto, the amount of experience and

training which the judge or judges of such courts had had in court work, and the ability of the judges to resist any intimidation of a lawyer.

Where a case from a local court went on appeal to a higher court staffed by legally qualified persons there ought to be a right of legal representation.

To assist the appellate court, the appellants and the respondents, statutory provision ought to be made for lawyers to assist in the preparation and presentation of cases before local courts by drafting the writ of summons and other allied documents.

In all legal systems represented at the Conference there were provisions whereby an appeal lay from a local court to courts staffed by legally qualified persons before whom lawyers could appear; in most countries there were provisions whereby a party could apply for a transfer from the local courts to a court where legal representation was allowed either as of right or at the discretion of the court, and the Conference commended these provisions; subject to the proviso that where local courts had legally qualified judges there ought to be the right to legal representation before them.

Where local courts dealt entirely with petty cases, there would be no need for legal representation.

If there was one judicial system and one law in a country then there would be no difficulty in ensuring that lawyers who would preside over these courts would be qualified in that one system of law or that non-lawyers who would preside over the lowest courts in that system would be assisted by lawyers qualified in that one law. It is felt that the courts from the lowest grade to the highest should be in one judicial system and administer one law of the land, which might have emanated from different sources; then only would lawyers be allowed to appear in local courts. In the interim period, lawyers should not appear in those courts which were presided over by laymen.

Even though lawyers should not have a right of audience in local courts, as at present constituted, they should be permitted to give assistance to litigants outside the courts as this would be a great help to both the courts and the litigants, particularly if the case adjudicated upon came before an appeallate court presided over by a legally qualified person.

Selection and training of local court judges and staff

The Conference was in general agreement that it was desirable to work towards a complete separation of judicial and executive functions in the local courts.

It would be wrong to disqualify persons from appointment as local court judges simply because they hold or had held traditional offices.

There was general agreement that the ultimate objective of all African legal systems ought to be a fully professionalized magistracy but this was not likely to be achieved for many years to come. In the interim period therefore it would be necessary to make use of the services of lay justices in the local courts but these judges should receive a certain amount of basic legal training since they would be required to administer non-customary law especially statutes; in addition consideration ought to be given to the employment on a part-time basis of fully qualified lawyers and magistrates.

The Conference agreed that the ultimate objective was that the local courts should become an integral part of the independent judiciary of the State, and control of the personnel of the courts should be directed towards that end.

The Conference agreed that the following preliminary qualifications ought to be considered essential before an individual was even considered for appointment as a local court judge:–

(*a*) Educational qualifications leading to literacy either in the official language or in a person's own language.

(*b*) Knowledge of customary law.

The Conference considered that, where necessary, courses in customary law should form part of the syllabus of training schools for local court judges. The Conference recommended that all law schools of whatever grade should provide courses in the customary law of the country concerned, as it was part of the law of the land which all courts had to administer.

It was considered that a scheme whereby local court judges could "sit in" with Magistrates and High Court Judges on the bench as Associate Judges would do much to raise the standard of local courts.

The Conference agreed that it was more suitable to give training to individuals before they were appointed to the Bench rather than afterwards but this is not possible at the moment.

It is not possible in a short summary note of this nature to go into the merits and demerits of these proposals. Suffice it to say that the Conference has gone a long way towards providing African Governments, who are now actively engaged in reforming their system of courts and their customary laws, with specific and valuable suggestions. But the Conference report will not only prove of value to African Governments. The fact that the report is fully annotated with very useful footnotes referring the reader to various African statutory provisions, case-law, books and articles, and also the inclusion of the appendices containing, *inter alia*, the Governmental background papers and the bibliography, makes it an invaluable document for judges, administrators, legal officers, students and other scholars interested in the study and future development of African legal systems and customary law. The credit for this naturally goes to the Legal Secretary to the Conference, Mr. W. T. McClain, who was responsible for writing and editing the report in such an admirable fashion.

Quarterly Notes

KENYA – *East African Staff College*

The East African Staff College completed its first course last December when 17 civil servants and 4 people from private industry concluded five weeks of study at Kabete. Talks followed by discussions were given by visiting lecturers, syndicate work was undertaken throughout by the participants who were required to report back to the whole course in plenary sessions, field studies were conducted with visits both to central government departments in Nairobi and also to the regions, and a small tutorial staff provided continuity and general guidance throughout. The programme lasted for five weeks. The first week was devoted primarily to economic problems, the second to social action, the third to the administration of development, the fourth to field studies and administration – structure and methods, and the final week to the administrator and his job.

The second course is due to begin in February 1965 at Makerere College and the third one later in the year at the University College of Dar-es-Salaam.

The importance of training people for senior posts in East Africa today needs no emphasis. This indeed is an aspect of development which has occupied the attention of African governments, of the Economic Commission for Africa and also the governments of richer overseas countries. The result is that there exist today many types of training facilities with courses varying in content, duration, level, location and objectives. Such indeed is the plenitude of facilities – some institutions are running at well below capacity – that it might be asked whether yet another training establishment was really necessary. In the event, however, those who initiated and backed the new East African Staff College can now feel that the first course fully justified their faith and enthusiasm. It is quite clear that the Staff College does have a distinctive role to play and there must now be good grounds for optimism that it may develop into something of considerable substance.

In the first place, it is a regional college and thus brings together people in high positions from Kenya, Tanzania, Uganda and the East African Common Services Organization. This pooling of experience is always worth while but particularly so in the East African context. Quite aside from political considerations and fears associated with federation, it is abundantly clear that many economic problems in East Africa cannot be adequately tackled on a narrow national basis, and the Staff College provides a focal point for a wider analysis of the issues involved; and this can take place in a context of complete informality.

Secondly, although avoiding the dangers of a narrow parochialism, the College does not have too diffuse and vague a geographical coverage. It is located in East Africa and this enables its syllabus to be concentrated primarily on those problems which are of immediate and pressing concern to the people of East Africa. Lecturers with practical and up-to-date experience of the most urgent issues under examination can therefore be obtained from the university colleges, from government, from business, from overseas missions operating in East Africa and so on. There is thus brought to the course a realism and a relevance which is not always apparent in some study programmes that are organized for training institutions.

Thirdly, although East African in location and emphasis, the programme of work fully recognizes that East Africa, like everywhere else in the world, cannot develop in isolation. Not only is it invaluable to learn from the experience of others in different parts of the world, but it is also essential to know about their policies and the direction they are following, particularly when this impinges, or potentially impinges on East Africa's future. It was to cater for this aspect of East Africa's development that distinguished visitors from overseas – India, Ghana, U.S.A. and Britain – were invited to address the course. And these, together with the Director of the College, Mr. Guy Hunter, with his experience of South East Asia as well of the bulk of tropical Africa, ensured that there was a continual awareness of the international context within which modern governments have to operate.

Fourthly, although the majority of the participants of the first course were civil servants, there was a small but high quality group from business houses, and the interchange of views and ideas between them was something of immense value which one hopes will be extended both in future courses and in other spheres of activity. The part that private business is playing in East Africa, and must continue to play if economic development is to be maintained, is a vital one, and unless there is a full understanding between the public and private sectors there could be disaster.

Fifthly, the course was designed for senior people and it was a matter of immense satisfaction to the organizers that the participants who attended did in fact occupy positions of great responsibility in their own countries. This was particularly encouraging as senior civil servants and others are working under heavy pressures in Africa today. But the very intensity of this makes it all the more essential that such people should be able to leave their offices for short periods – the Staff College course of five weeks seemed to be a good balance between, on the one hand the need to have sufficient time for the studies to be worth while, and on the other hand the inability of people to be away from their desks for too long – so that they do not lose perspective in their work and become hopelessly immersed in the day-to-day problems of their work.

The Director, two tutors, and some special equipment have been provided by the British Government as part of the Special Commonwealth African Assistance Programme. Generous contributions have also been made by the Ford Foundation.

T. SOPER.

UNITED KINGDOM · *Marlborough House, Course for Government Legal Officers*

The Ministry of Overseas Development and the British Council have organized for government legal officers from overseas a five-month course which is now in progress at Marlborough House. There is a governing body under the Chairmanship of Mr. W. L. Dale of the Commonwealth Relations Office and the Administrative Director is Sir Edgar Unsworth, who was formerly the Chief Justice of Nyasaland.

The Course is designed to present and describe the practice of the United Kingdom in certain fields of public law insofar as it may serve as a guide or help to other countries. The application of this law to external relations and the working of international institutions is being dealt with. The Course is divided into three main parts, namely, international law, legislative drafting and certain general topics of public law such as the administration of justice,

government litigation, administrative law, Parliamentary business and procedure, air law, maritime law and oil law.

The method of work is largely that of the seminar and the participants themselves are making active contributions to discussions. Those assisting in the conduct of the Course number nearly 50 and include professors and lecturers from the universities, as well as public officers from Government ministries and the Houses of Parliament. The chief lecturer on international law is Mr. J. E. S. Fawcett, Fellow of All Souls College, Oxford. The course on parliamentary drafting is being conducted by one of the Parliamentary Draftsmen – Mr. F. A. R. Bennion, and that on treaty drafting by Sir Francis Vallat and other officers from the Foreign Office.

There are eighteen members attending the course coming from Asia and the Middle East, from East and West Africa and from the West Indies.

EASTERN NIGERIA – *Community development*

Three years ago the Minister of Internal Affairs of Eastern Nigeria, the Hon. Chief I. U. Akpabio, was asked why Government placed such importance on assisting road construction in community development work. He replied: Progress travels by road.

Since then the net-work of community roads has opened up the rural areas and enabled assistance for community work to shift from roads and bridges to community dispensaries, maternity homes and hospitals, markets and schools as well as to the organization of 'Councils of Social Services' which tackle problems like juvenile delinquency. In addition it is possible to spread adult education to the remotest parts of the country and to establish 'Youth Clubs' which are to develop into 'Young Farmers' Clubs'.

It is the policy of the Government by providing technical and other services to encourage the initiative and voluntary participation of the people in the country's campaign of economic development, especially in the field of agriculture. In support of this policy the Ford Foundation is prepared to offer assistance working in close liasion with the Ministries of Agriculture and Commerce.

An Inter-ministerial Rural Development Committee has been established to co-ordinate and supervise the community development organization. It will be responsible for policy, supervision, evaluation, training, technical assistance and co-ordination. The Provincial Commissioners and their staffs are responsible for the executive work. To make this effective Rural Development Committees have been formed at inter-ministerial, provincial and county level and a new cadre of rural development officers has been attached to divisional offices for community work in the rural areas.

To meet training needs for rural development organizers and village group leaders it is planned to expand the Community Development Centre in Awgu.

UGANDA – *Proposed reforms*

In his speech from the Chair to the National Assembly on the 30th of November the President of Uganda outlined policy plans introducing legal and administration reforms. It is proposed to effect the integration of the Courts. This exercise will require the appointment of a considerable number of magistrates, and to provide them a greatly expanded programme of training is being planned at Nsamizi Law School.

A permanent Law Reform Committee will also be set up to advise how best to keep the legal system in step with the progress of the country and to act as a consultative body on legal matters.

It is also proposed to simplify the legal procedure in cases of serious crime with the object of ensuring that accused persons, without any encroachment on their existing rights and protections, are brought before the Courts swiftly and their cases more speedily settled than at present.

To help solve the man-power problem there will be a re-examination of the functions of government departments with the object of stream-lining procedure. It is proposed to shorten the line of communication between the Minister determining policy and the executive officer at the end of the line. This will involve a greater degree of specialization, a greater degree of delegation and increased responsibility on the final executive officer. To this end emphasis is to be laid on the training of local people and a School of Public Administration is to be established.

Book Reviews

CRIMINAL LAW IN NIGERIA (excluding the North), by Cyprian O. Okonkwo and Michael E. Naish. *Sweet & Maxwell, London, African Universities Press, Lagos,* 1964: pp. 378 and xxxviii; £2 10s. 0d.

The authors in their preface state that this book has been written with at least three different readers in mind – the student primarily, but also the practitioner and the academic, and that as far as the student is concerned it is essentially a book on the legal rules of the criminal law rather than a treatise on criminology, penology, or the social background to the criminal law. It is in fact a book of criminal jurisprudence in which the approach is a comparative one. It does not pretend to supply the same detailed practical treatment as do the works of Brett and Maclean on the one hand and Gledhill on the other. In carrying out their tasks the authors have examined the Criminal Code of Nigeria in the light of the Nigerian cases decided on it and of the cases decided on the other codes, such as the Criminal Code of Queensland, which, with the Nigerian code, had a common origin in the draft criminal code prepared by Sir James Stephen for England, but which was never passed into law here. There are in addition a few comparative references to the Northern Nigeria Penal Code.

The book is divided into two parts, the first treating of general principles and the second dealing with some specific offences. The authors admit that they have not attempted to consider fully all criminal offences in Nigeria or even all offences in the Code, their aim being to teach the technique of dealing with an offence when confronted with its definition; and they consider that this technique can best be imparted by analysing a few offences in great depth. This treatment is applied throughout the book. For instance, in chapter 2, which is entitled "the Context of the Criminal Law", a few arbitrarily chosen matters affecting law in its broader context have been discussed, such as the meaning of crime, the object of the criminal law, and sentencing, upon the last topic of which the authors have some illuminating remarks to make. A more appropriate title for this volume might therefore be "The Criminal Jurisprudence of Southern Nigeria".

The authors have succeeded in producing a very good book as far as it goes, but because of their limited treatment of the subject, one feels that the book is, to a certain extent, incomplete. The treatment is, however, thorough and scholarly and the volume contains a considerable amount of valuable comparative material. In addition, the text, which is written in a fresh and interesting fashion, is enlivened by a succession of thought-provoking comments. Of these, two may be mentioned: one a quotation from Salmond's "Jurisprudence" suggesting that "the mental attitude which best becomes us when fitting justice is done upon the evil-doer should be not pity but solemn exultation"; and the other a debating question: "What is the justification for refusing leniency to a man because he has previous convictions? It seems that a man does not 'wipe his slate clean' by serving his sentence".

The position of English law in Nigeria is discussed and the reader is rightly warned that English cases are not necessarily good law in Nigeria, although his attention is drawn to those that are quotable authorities on topics where English and Nigerian law coincide.

A few errors appear, among which is the description on page 188 of "the Northern High Court of Appeal". No such Court exists, but it must be assumed that the authors are referring to the High Court of Northern Nigeria when sitting to hear appeals from magistrates' courts and native courts.

As stated above, this is a book mainly for students – probably for more advanced students. It fulfils a need by explaining the nature of crime and of specific crimes, by setting forth the basic principles of the Southern Nigerian criminal law and by expounding them in the light of modern thought and relevant judicial precedent.

H. H. MARSHALL.

EXPERIMENT IN SWAZILAND (Report of the Swaziland Sample Survey 1960 by the Institute for Social Research, University of Natal for the Swaziland Administration); Edited by J. F. Holleman; *Oxford University Press*, 1964; pp. 345; 70s.

This work consists of 345 pages of text divided into two Parts of five Chapters each. The first Part deals with "the Experiment" and the second with the "Survey Results". There are nine maps; 193 listed tables; a bibliography and a useful index.

The book is a rich deposit of information awaiting exploitation not only by the Swaziland Administration by whom it was commissioned but also by students of social research and the general reader interested in the problems of adjustment confronting modern and complex Africa.

Of the survey results themselves little need be said except that they are a workmanlike, lucid and logical presentation, convincingly displayed and interpreted by a group of well qualified academics of the University of Natal under the able leadership of Dr. Holleman.

The survey sprang from the realization on the part of the Swaziland Administration of the need for preparatory research because it was faced with dramatic and rapid economic developments which were bound to affect the traditional structure of Swazi society and economy.

The results are dealt with in chapters on Demography (subdivided into sections on Demographic Characteristics, Size and Composition of Rural Homestead Groups, Marriage, Religious Affiliation and Education); The Swazi Rural Economy; Incomes of Rural Homestead Groups; and Wage Employment and Labour Resources.

A few points made in describing the results are worth mentioning here. First the warning that the apparently persistently falling death rate may produce a high dependency ratio which might hamper economic development. The analysis shows that it is generally only at the higher primary level (at least five years of education) that the possible advantage of schooling in the employment field begins to show whereas present policy is aimed at a four-year course for all children of school-going age as a minimum. An even more interesting point is made in the special addendum where Dr. Holleman deals with resistance to change and draws attention to the "mental orientation" of the Swazi people "who do not wish to produce more from the land than their bare subsistence requirements".

Perhaps the most valuable part of the work however is the frank description and appraisal of the experiment contained in the first part of the book. The

survey was not only a joint effort by the Swaziland Administration and a team of academics of the University of Natal but as far as the latter were concerned it was a multi-disciplinary effort. The outline in Chapter 1 describes, sometimes dramatically, the hopes and fears, the heartaches, the elations and frustrations which were part and parcel of the work. For those who are still in doubt, who regard random sampling as mathematical manipulation and fact juggling, there is a lucid explanation in Chapter 2. The survey was carefully planned so that it would have a permanent usefulness as a frame for similar studies in the future.

Although Dr. Holleman described Government's participation "largely as an act of faith" this should not obscure the contribution of a host of Government servants and in particular of that of two devoted and exceptionally talented young administrative officers who were closely involved with the planning, the execution and recording of the survey viz. Johnnie Masson and Huw Jones.

History will reveal the extent to which the Swaziland Government will make full and effective use of the facts so laboriously collected, collated and interpreted in this book.

B. MARWICK.

THE REPUBLIC OF INDIA: THE DEVELOPMENT OF ITS LAWS AND CONSTITUTION, by Dr. Alan Gledhill. *Stevens and Sons*, 1964; pp. 399; 70s.

This is the second edition of a book originally published in 1951 but now, according to the author, out of date – firstly because the Constitution with which it deals has been considerably amended; secondly because, in six years, more than five hundred Acts have been passed by the Indian Parliament.

The first part of the book deals with the Constitution, said to be the longest in the world, the second part with the legal system as at present operative in the States and Territories which make up the Republic of India.

Dr. Gledhill has written an absorbingly interesting book. He traces the development of Government and the legislatures from the days of Clive and Hastings until the adoption of the Constitution in 1950. Successive chapters treat of the nature of the Constitution; the distribution of power; the Union Executive; Parliament; the constitution of the Units; the Judicature; and – a category unfamiliar to the student of earlier Constitutional Law – Fundamental Rights and Directive Principles, including the Seven Democratic Freedoms.

The second part of the book outlines the Indian legal system, from the time of the adoption of English law by the East India Company's Factories, and proceeds to deal with the more salient features of its adaptation to the needs of modern India. This part not only covers criminal law and procedure, the law of evidence and civil procedure, but gives an account of a very wide range of specific enactments. These include laws affecting capacity and status, the personal law of Hindus and Moslems, and laws relating to property, contract, industry, communications and professions.

A fundamental distinction between the legal and the constitutional development of the Indian Republic is at once apparent. The greater part of the body of law built up since the British "first seized the sceptre in India" as Dr. Gledhill puts it, is still in force. The Procedure has not altered. On the other hand, the Constitution, as the preamble states, was given to themselves by the

people of India to constitute India into a sovereign democratic republic. Its sole link with the previous form of Government is that the draft constitution was prepared by a member of the Indian Civil Service.

In his thorough study of the Constitution, Dr. Gledhill examines the nature and extent of the powers conferred on the States and Territories which make up the Union and discusses their relationship with the Central Government.

The Constitution is federal in form, though there has already been some academic argument over the rightness of this definition. The Union now includes sixteen States and ten Union Territories, but the federal principle does not apply to the Territories.

The President is the executive head of the Union, the States and the Territories, and is elected by an electoral college. Parliament, at the centre, consists of the President, the Council of States – *Rajva Sabha* – and the *Lok Sabha*, the House of the People. The labels come from Bengal, perhaps in recognition of political aptitudes.

The States, with their representatives at the centre, have their separate governors, legislatures and High Courts. The right to initiate legislation is shared by Parliament and the State legislatures. The Constitution specifies three lists of subjects, the Union list, the State list and the concurrent list. Parliament alone can make laws for subjects on the Union list, the States alone for subjects on the State list, while both Parliament and State legislatures can make laws on the matters in the concurrent list.

So far as the actual administration of the law is concerned, the creation at the centre of the Supreme Court as an ultimate Court of Appeal from the High Courts, with exclusive original jurisdiction over disputes between the Union and the States and the States themselves, crowns the judicial structure.

Dr. Gledhill has dealt exhaustively with these and many other matters in a work of wide scope and very great detail. It may therefore seem a little ungracious to wish that he had expanded his chapter on Fundamental Rights and Directive Principles, conceptions which, like the Seven Freedoms, have a somewhat unfamiliar sound. These Fundamental Rights and Freedoms are embodied in Articles of the Constitution itself, but though some Rights are specifically mentioned, it cannot be established how far their sum total amplifies or modifies traditional conception of the Rights of Man.

Dr. Gledhill's study of the Indian Legal system – the second half of the book – is a workmanlike survey of a great and increasing body of Law. As he points out, all laws in force at the inauguration of the Republic, not expressly repealed, remain in force, except in so far as they are inconsistent with the Constitution. So far, there has been no tendency to challenge their basic principles. In the result, the Indian Penal Code of 1860 and the Evidence Act of 1872 still operate, and the codes of criminal and civil procedure still regulate the functioning of the courts.

The substantive Civil Law as is shown in the comprehensive selection of Acts quoted, follows the same pattern. The Table of Statutes annexed to this book shows that roughly a hundred Central Acts, passed before Independence, are still substantially in force.

In *The Republic of India* Dr. Gledhill has not only made an important contribution to the history of Modern India, but a suggestive approach to problems which confront younger nations over much of the present world.

C. BARTLEY.

DISTRICT ADMINISTRATION IN INDIA, by S. S. Khera. *Asia Publishing House, New York*, 1964; pp. 225; 30s.

This may at first seem a somewhat austere book, with chapters on Law and Order: Revenue Administration: Economic and Social Administration: and so on. And, indeed, it will hardly be chosen from a railway bookstall by a casual reader. But to anyone interested in the administration of a district – historians or former members of the colonial service as well as the dwindling band of the Indian services – there is much to attract. Mr. Khera is a man of remarkable balance; he calls himself 'a hardened old district officer of the old school', the context being the paramount importance of land records, and above all of maps and a field register showing the area, the occupancy and the crop of each field (*the khasra*). The heart warms at this, for it was an essential article of faith in our profession. Yet Mr. Khera does not, as I fear many British officers did, regard Law and Order and Land Revenue as all that mattered and community development as 'frills' or 'trimming'. His priorities are admirably clear; order must come first and must be maintained in accordance with the law; land records must be maintained properly – but all these are for the benefit of the peasant (now called a *bhumidar*) and are the framework on which to build him a better life.

Mr. Khera is admirable on the relationship between judicial and executive, on the control of military and police by the civil power – that is, ultimately the sovereign people. He teaches as de Tocqueville and Dicey would have wished. He is admirable too, on the use of force, particularly in relation to firing on a riotous crowd. Indeed, I can venture one criticism only. He hardly mentions torture in police stations or corruption; these occur in most societies and did not seem to have been eliminated when I was last in India. They present a district officer with something of a dilemma. He must of course be inflexible in enquiring into any complaint and punishing when a case is proved. But what positive steps can he take? There is – or was – a real danger of encouraging false complaints and creating such nervousness and lack of confidence in the district staff as to paralyse initiative. The official answer would be that this dilemma was a product of a system in which all authority came down from above; now that it is derived from committees in the villages (*panchayati raj*), the atmosphere is more wholesome. But I fear that this answer is not yet realistic; in a transitional stage, both the original evils and the fear of false changes are almost bound to co-exist, with serious effects on confidence.

P. MASON.

OTHER BOOKS RECEIVED

POST-PRIMARY EDUCATION AND POLITICAL AND ECONOMIC DEVELOPMENT, edited by D. C. Piper and T. Cole. *Duke University Press, Durham, N.C., and Cambridge University Press, London,* 1964; pp. 230; 37s. 6d.

This is the record of a seminar held by the Duke University Commonwealth-Studies Centre in 1963 on the impact of post-primary education on the political and economic development of the newly independent members of the Commonwealth. It contains nine essays, four concentrating on theory, two on the contribution that the United States and its universities should make in education in the new states, and three on the role of education in Africa and Asia.

LOCAL GOVERNMENT YEAR BOOK, 1964, prepared by the Institute of Administration, Ahmadu Bello University, Zaria, N. Nigeria. *Gaskiya Corporation, Zaria,* 1964; pp. 156; 5s.

This is the second year book prepared by the Department of Local Government at the Institute of Administration in Zaria, Northern Nigeria. It is a most useful handbook of facts about local government in this Region covering the Ministry itself, all the local government authorities, finance, staff, education, courts and export crops. In addition there is a section on facts on Chiefs and general information, plus two maps. Invaluable for the visitor or student.

THE WEST AFRICAN COMMONWEALTH, by C. W. Newbury, *Duke University Press, Durham, N.C., and Cambridge University Press, London,* 1964; pp. 97; 19s.

This brief book examines the reasons why former British territories in West Africa elected to join the Commonwealth and what advantages they derive from the association. The transfer of power with all its concomitants, the place of African nationalism and the determining factors of the new countries' foreign policy are all discussed.

THE CAMEROONS FROM MANDATE TO INDEPENDENCE, by V. T. LeVine, *University of California Press and Cambridge University Press, London,* 1964; pp. 300 and 6 maps; 60s.

This is a study of the political development of the Cameroons during the mandate and trusteeship periods; it is an analysis of the process of nation-building complicated by the traditions left on its two halves by the British & French Trustee powers, themselves influenced by the United Nations supervision.

THE CONSTITUTION AND GOVERNMENT OF GHANA (2nd Edition), by L. Rubin and P. Murray. *Sweet & Maxwell, London and African Universities Press, Lagos,* 1964; pp. 297 and xviii; 57s. 6d.

That after only three years a second edition of this book appears is evidence of its need and success. The differences between the two editions indicate the rapid tempo of change in the newly independent countries of Africa. The most significant changes in Ghana since 1961 give the President increased powers particularly at the expense of the judiciary and the liberty of the individual and establish the constitutional dominance of the C.P.P. A valuable book for all interested in constitutional law in new Africa—teachers, students, lawyers and historians.

AMENDMENT

IT is regretted that the passage given below was inadvertently omitted from the article by Mr. W. J. Miller entitled: Developments in Primary Education in N. Nigeria, in Vol. III, No. 4, Oct. 1964. This insertion follows the word 'maintaining' in the last line of p. 222:

"the school buildings, and the annual cost of local administration and inspection. The report gives a figure of £8 5s. 0d., per head per annum and although this is slightly low considering present day costs, it does provide an invaluable basis for the calculation of the annual cost of each primary school. Such costing could also provide an estimate of the ultimate cost of universal primary education, and is thus of vital importance to all future planning for primary development.

"The very fact that there has been mention of a partnership between the locality and the Government and that the financial responsibility shall be borne by the locality and Government assumes that there is already in existence a body which is representative of all the educational interests in a given area. This is not so. The present primary schools are conducted by the Native Authorities and the Voluntary Agencies, each proceeding, with little or no co-ordination, according to its own ideas about where development should take place. Oldman was therefore required to advise whether there would be advantage in delegating control of primary education to local education authorities. No such authorities existed at that time in Northern Nigeria, but three experimental authorities were established in April 1964 in Bornu Emirate of Bornu Province, in Katsina Emirate of Katsina Province, and in Abuja Emirate of Niger Province. It was recommended in the Oldman Report that 'the initiative in educational planning and organization for any area should be encouraged to come from the area itself' with Government giving overall supervision, advice and assistance and providing the regulations regarding the minimum standards within which the locality can operate. It was also stated that 'an area will produce a more effective system of schools if there is one school authority representative of and co-ordinating all the educational interests of that area'. The Government accepted the recommendation that education authorities be established and provision for their establishment was included in the Education Law 1962. Education Authorities may be established only after approval by the Minister of Education who must be satisfied with the scheme submitted by a Native Authority applying to become an Education Authority. Such authorities, once established, are . . .".

Printed in England for HER MAJESTY'S STATIONERY OFFICE
by Harding & Curtis Ltd., Bath

Wt. 32 Ps 400033 3/65 K 13

The Civil Service in New African States

A. L. ADU

The former head of the Ghana Civil Service examines the development of policy and the changing role of the Civil Service in the machinery of government in Africa. All aspects are discussed, including its structure and administration, the urgency of Africanisation, the organisation of departments and the policy-making process itself. 25s

Local Government in West Africa

RONALD WRAITH

It is a little more than ten years since local government legislation was introduced into English-speaking West Africa. The author describes how it has adapted itself to its environment and discusses some of its present and future problems.

'This is a wholly admirable book. I shall be surprised if anyone at all interested in local government will easily lay it aside after reading the first few pages.' *Municipal Journal* Cloth 16s Paper 9s 6d

ALLEN & UNWIN

Colonial Office

Selected Publications

Soils of the Semporna Peninsula, North Borneo

A report of a reconnaissance survey, carried out during 1953-59, to arrive at an appreciation of the agricultural potential of this area which exceeds one thousand square miles, is almost unpopulated and has a complete pattern of sedimentary and volcanic rocks. Illustrated and with maps. 28s (30s 6d)

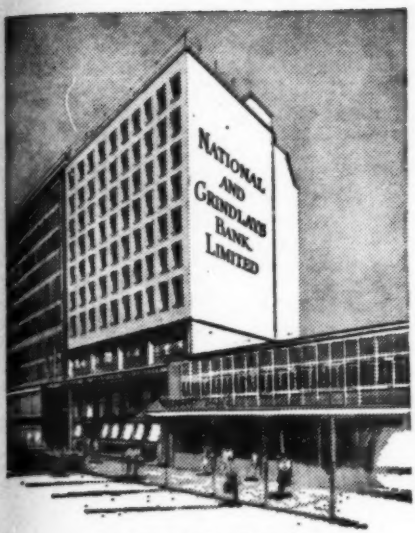
Economic Aspects of Mechanised Farming at Nachingwea in the Southern Province of Tanganyika

Presents an objective economic analyis of the problems involved in Agricultural Settlement, using modern mechanical methods, on marginal lands in Tropical Africa. This unique report will be of exceptional interest to all concerned with the planning and execution of agricultural enterprises in undeveloped or underdeveloped tropical countries. 35s (36s 1d)

Prices in brackets include postage

HMSO

Government publications can be purchased over the counter or by post from the Government Bookshops in London, Edinburgh, Manchester, Birmingham, Cardiff, Bristol and Belfast, or through any Bookseller



A LITTLE BIT OF

BISHOPSGATE IN SALISBURY

National and Grindlays opened its first branch in Rhodesia in 1953. Long enough ago to become identified with the country, to become part of its daily life, to know its people, its commerce and its needs.

Whatever your need, whether the most detailed market information or simply travellers' cheques, the fully comprehensive banking service of National and Grindlays is ready to meet your requirements through a wide network of branches in Rhodesia, and elsewhere in Africa and Asia.

NATIONAL AND GRINDLAYS BANK LIMITED

HEAD OFFICE: 26 BISHOPSGATE, LONDON, E.C.2.

Branches in INDIA · PAKISTAN · CEYLON
ADEN · SOMALIA · KENYA · UGANDA
TANZANIA · ZAMBIA · RHODESIA

Bankers to the Government in
ADEN · KENYA · UGANDA · ZANZIBAR

Associated Banks: Lloyds Bank Limited
National Provincial Bank Limited

Colonial Reports

ANNUAL REPORTS

Basutoland
Bechuanaland Protectorate
British Guiana
British Honduras
Brunei
Fiji
Gibraltar
Hong Kong
Mauritius
Swaziland

BIENNIAL REPORTS

Aden
Antigua
Bahamas
Barbados
Bermuda
British Solomon Islands
British Virgin Islands
Cayman Islands
Dominica
Falkland Islands
Gambia
Gibert and Ellis Islands
Grenada
Montserrat
New Hebrides
St. Kitts–Nevis–Anguilla
St. Helena
St. Lucia
St. Vincent
Seychelles
Tonga
Turks and Caicos Islands

A standing order for selected Reports or for the complete series will be accepted by any one of the Bookshops of Her Majesty's Stationery Office at the addresses on inside front cover. A deposit of £3 (three pounds) should accompany standing orders for the complete series.

Orders may also be placed through any bookseller

YOUR PROBLEMS

PRESENT:	FUTURE:
Adequate Family Protection	Educational Provision
Improved Investment Yield	Pension Augmentation
Income Tax Saving	House Purchase

These can be solved by modern 'programmed' **LIFE ASSURANCE**, specially 'tailored' by an **EXPERT** to 'fit' your own requirements, rather than by haphazard policies. Whilst achieving this, the Income Tax rebate on premiums is equal to a return of as much as 22½% per annum (**NIGERIA**) on your money, apart from *Tax-free* profits, making this the best Investment available to-day.

SPECIAL TERMS FOR MEMBERS OF H.M.O.C.S. (Including advice on investment of **EARLY RETIREMENT GRATUITY** (L.S.C.) to best advantage).

Detailed advice, entailing no obligation, will be forwarded, on learning your date of birth and requirements, by:—

FRANK S. ULYATT

(JOHN ULYATT & W. MICHAEL KINGSTON, A.C.I.I.)

Insurance Consultants

19-21 MUSTERS RD., TRENT BRIDGE, WEST BRIDGFORD, NOTTINGHAM

Don't take risks with Insurance! Consult an **expert BROKER**, who will give you the benefit of many years' experience and recommend the **BEST** Company for your needs.

ESA

The leading supplier of SCHOOL EQUIPMENT

Free catalogue gladly sent to Principals on request

Please write for those you require

School Stationery & Equipment—Secondary Schools
'The Vital Years'—Infant and Junior Schools
School Uniform & Sports Clothing
Norstedt Science Sets
Science Equipment
Sports Equipment

THE EDUCATION SUPPLY ASSOCIATION LIMITED

School Materials Division — Pinnacles, Harlow, Essex, England

Branches:

E.S.A. (*Nigeria*) Ltd. P.O. Box 273. 13 Kaduna Road, Zaria, Nigeria
E.S.A. (*East Africa*) Ltd. Church House, Gout Rd. P.O. Box 30167 Nairobi, Kenya
E.S.A. (*Canada*) Ltd. Elmira, Ontario, Canada

Represented in:

Australia	Bahrain	Jamaica	Malaysia	Rhodesia	Tunisia
Algeria	Bermuda	Kuwait	Morocco	South Africa	Trinidad
Antigua	Cyprus	Kenya	Mauritius	St. Vincent	Uganda
Belgium	Dominica	Lebanon	New Zealand	St. Kitts	Zambia
Barbados	Grenada	Mexico	Nyasaland	St. Lucia	
Bahamas	Libya	Malta	Qatar	Singapore	

S.O. Code No. 72-19-65-2